

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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<p>LATISHA SANDERS INDIVIDUALLY, AND AS ADMINISTRATOR, MOTHER AND NEXT OF KIN FOR DECEASED MINOR CHILD CEDRIC MCEADDY,</p> <p>Plaintiff, -against-</p> <p>LIVEON NEW YORK ORGAN DONATION, RN ALTHEA COGGINS IN HER OFFICIAL AND INDIVIDUAL CAPACITY, MD SANDRA SICULAR IN HER OFFICIAL AND INDIVIDUAL CAPACITY BROOKDALE UNIVERSITY HOSPITAL MEDICAL CENTER, OFFICE CHIEF MEDICAL EXAMINER, DR. AGLAE CHARLOT IN HER OFFICIAL AND INDIVIDUAL CAPACITY, DETECTIVE ORTIZ IN HIS OFFICIAL AND INDIVIDUAL CAPACITY FAIRHAVEN MEMORIAL CHAPEL JASON SHEPPARD</p> <p>Defendants,</p>	<p>CASE NO. 1:16-CV-06526-CBA-SJB</p> <p>PLAINTIFF'S NOTICE OF OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT</p> <p>WITHOUT JURY TRIAL</p> <p>FILED IN CLERK'S OFFICE U.S. DISTRICT COURT E.D.N.Y. ★ JAN 04 2021 ★ BROOKLYN OFFICE</p>
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Pursuant to Fed. R. Civil P. 56, Plaintiff Latisha Sanders appearing *pro se*, submits this Opposition to the pending Motion for Summary Judgment, on file herein, to demonstrate to the Court that there is a genuine issue of material fact in this case that precludes the entry of a judgment as a matter of law.

This Opposition is based upon and supported by the following Memorandum of Points and Authorities, the pleadings and papers on file, the affidavits and exhibits attached hereto, and

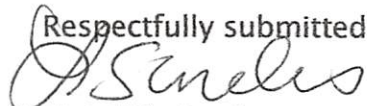
any arguments that the Court may allow at the time of hearing. Monetary relief in the amount of \$250,000 is being sought should this Court rule in favor of the Plaintiff.

Please take further notice that pursuant to the scheduling order issued on November 24, 2020, the Defendants shall serve a reply response on or before January 14, 2021. The motion is returnable January 18, 2021.

DATED this 30th day of

December, 2020.

Respectfully submitted by:



Plaintiff, *Pro Se*

131 Broome Street Apt
#19F

New York, New York

10002

(646)215-1455

Latisha.Sanders999@gmail.com

To:: By email to Judy.Selmeci@WilsonElser.com and
by first class mail and certified mail, return receipt requested

Attorney for the Defendant LiveOnNY

Judy Selmeci

150 East 42nd Street

New York, New York 10017-5639

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

.....X	
LATISHA SANDERS INDIVIDUALLY, AND AS ADMINISTRATOR, MOTHER AND NEXT OF KIN FOR DECEASED MINOR CHILD CEDRIC MCEADDY, Plaintiff, -against-	CASE NO. 1:16-CV-06526-CBA-SJB
LIVEON NEW YORK ORGAN DONATION, RN ALTHEA COGGINS IN HER OFFICIAL AND INDIVIDUAL CAPACITY, MD SANDRA SICULAR IN HER OFFICIAL AND INDIVIDUAL CAPACITY BROOKDALE UNIVERSITY HOSPITAL MEDICAL CENTER, OFFICE CHIEF MEDICAL EXAMINER, DR. AGLAE CHARLOT IN HER OFFICIAL AND INDIVIDUAL CAPACITY, DETECTIVE ORTIZ IN HIS OFFICIAL AND INDIVIDUAL CAPACITY FAIRHAVEN MEMORIAL CHAPEL JASON SHEPPARD Defendants,	PLAINTIFF'S DECLARATION IN SUPPORT OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

LATISHA M. SANDERS, being first duly sworn, deposes and states as follows:

1. My name is LATISHA M. SANDERS, I am over twenty-one (21) years of age, suffer from no legal disability, and am competent to make this declaration. I have personal knowledge of the facts set forth in this declaration and all of the facts recited herein are true and correct.

2. I am a Pro Se Plaintiff representing myself without counsel. I am the mother, next of kin and Administrator to the Estate of the deceased Cedric McEaddy.

3. This declaration is submitted in support of the within Opposition to Motion to Dismiss Pursuant 28 U.S. Code § 1746 and to Oppose the Dismissal of Defendants LiveOnNY NY request Motion for Summary Judgment pursuant to Federal Rules of Civil Procedure 56. Granting Plaintiff a monetary prayer relief.

EXHIBIT

- Exhibit A: Brookdale Hospital Medical Records for the Alleged Deceased
- Exhibit B: Brookdale Hospital Deposition Transcript By Jose Maria
- Exhibit C: Office Chief Medical Examiner Autopsy Said To Be That Of The Deceased Cedric McEaddy "a.k.a" Unknown Male Age 20
- Exhibit D: LiveOnNY Standard Operating Procedures
- (Checking the Donor Registry (325), Pgs. 1-3)*
- (Identification of Party to Authorize Donation/Diligent Search & Administrative Authorization Pgs. 1-6)*
- (Communicating with Hospitals and Funeral Homes and Placing and Maintaining Holds Pgs. 1-3)*
- (Telephonic Authorization for Organ and or Tissue Donation Pgs. 1-6)*
- (Tissue Telephonic Authorization Pgs. 1-10)*
- (Tissue Donor Evaluation Process & Time Limits for Tissue Recovery Pgs. 1-7)*
- Exhibit E: LiveOnNY Motion To Dismiss
- (LiveOnNY Memorandum Of Law in Support of its Motion to Dismiss, or in the Alternative, For Summary Judgment)*
- (Declaration in Support of LiveOnNY's Motion to Dismiss or, in the Alternative for Summary Judgment)*
- (LiveOnNY's Notice of Motion to Dismiss Pursuant to Rule 12(b)(6) and (c) or, in the Alternative, for Summary Judgment Pursuant to Rule 56)*
- Exhibit F: Photos From The OCME, Fairhaven Memorial Chapel, Frank Barone Funeral Home That To Be Of the Deceased Cedric McEaddy

Exhibit G: NYPD Detective Jose Ortiz Written Interview Regarding The Alleged Murder Of The Deceased Cedric McEaddy

(Interview Of Girlfriend Ajanee Williams At 1:20am On May 19, 2016 By Detective Jose Ortiz)

(Interview Of Grandmother Clarissa Sanders At Brookdale Hospital At 1:25am On May 19, 2016 By Detective Jose Ortiz)

(Provided To The Courts and To Defendant LiveOnNY By USB Drive)

Photos Of The Alleged Decedent Cedric McEaddy "a.k.a" Unknown, Unclaimed Body Remains Provided BY The Office Chief Examiner on August 16, 2016.

Photos Of The Alleged Decedent Name(s) Noted Above Taken By Plaintiff May 28, 2016 At The Fairhaven Chapel Memorial

- Set (1) OCME
- Set (2) Fairhaven Memorial Chapel On May 28, 2016
- Set (3) Frank Barone Funeral Home On July 7, 2016

I Plaintiff Latisha Sanders affirms to be true the photos provided by USB as exhibits. Also requesting the Courts to take Judicial Notice of the exhibited evidence in Support of Plaintiff's Proposed Finding Of Facts.

Summary of Argument

4. Defendant LiveOnNY stated in (Para. (¶) 4) of its Declaration to Support its Motion for Summary Judgment that there were no genuine dispute as to any material facts regarding the Loss Right of Sepulcher alleged by plaintiff that an interference had occurred. However, in this matter being brought for to the courts Plaintiff seeks a decision for a final judgment granting a monetary awarded. The defendants argument disputes that there are no material

facts at issue to the Loss Right of Sepulcher without providing any reputable evidentiary proof to disprove Plaintiffs claim. Therefore, the Courts should move denying the defendants motion as it would be just in a matter of law for a lack of its own evidence to support its dispute.

5. This motion brought forth by the defendants is being done repetitiously. LiveOnNY 1st attempt at dismissing the complaint and moving for summary Judgment rises on August 9, 2018 (Exh. E). The Defendant has re-alleged the same argument that a ruling to dismiss the claims of Loss Right of Sepulcher survived in favor of the Plaintiff and denied the defendants motion for summary judgment. (Dock # (¶) 133, 140)

Procedural History

6. The complaint herein was duly brought forth due to the Mutilation, Untimely Notification of death of Plaintiffs minor son and a continuous violations to Plaintiff Right of Procedural Due Process arising from 42 U.S. Code § 1983 for Deprivation of Rights. Which sprung forth from an interference to the immediate access to the alleged deceased body alleged with the Defendants in whom suit was brought forth. On May 8, 2016 Plaintiff brought forth a legal suit in the Southern District Court of New York and later at its courts request transferred the case to the Eastern District Court of New York. Eastern District Court granted Plaintiff Forma Pauperis in which now this dispute with LiveOnNY arises. (Dock (¶)1, 2,3,4)

7. On September 6, 2018 I Plaintiff filed an amended complaint. On October 5, 2018 LiveOnNY filed a dis-positive motion to dismiss Plaintiff amended complaint and moved for summary judgment. (Dock (¶) 46, 59)

8. A court issued memorandum order was rendered on September 30, 2019 dismissing parts of Plaintiff claims against LiveOnNY and grants in part Plaintiffs claim of Loss Right of Sepulcher. (Dock (¶) 133)
9. Plaintiff cannot recall or deny the Defendants written amended answer with accordance to its argument of immunity as its affirmative defense or if its determined Court outcome. (Dock (¶) 140)
10. Plaintiff agrees that two depositions were held by both LiveOnNY and Plaintiff that took place on March 12, 2020 with attorney for LiveOnNY Ms. Jennifer Cooperman. At the Eastern District Court of New York. Also with attorney Judy Selmecei and Kristen Caprini conducted Remotely.
11. Plaintiff does not recall any ruling to extend discovery or as being granted by the Courts for the defendant or plaintiff on the date of September 21, 2020.
12. As written herein in Plaintiffs response to line 12 of the defendants declaration in support of LiveOnNY motion for Summary Judgment Plaintiff denies all alleged and written by the defendants to not be truthful.
13. Plaintiff re alleges the same as in line 12 to be the same as in line 13 of the defendants written accounts to its own perspectives and deems this paragraph to be not truthful.

Conclusion

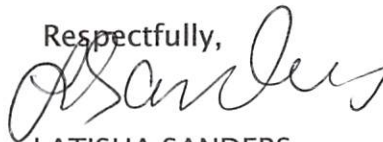
It is plaintiffs belief that the defendant LiveOnNY is being purposefully deceptive in its writ

to all that is alleged within paragraphs 1-13.

Dated: New York, New York

December 30, 2020

Respectfully,

A handwritten signature in black ink, appearing to read 'Latisha Sanders', written over the word 'Respectfully,'.

LATISHA SANDERS

Plaintiff *Pro Se*

131 Broome Street,

Apt #19F

New York, NY, 10002

646-215-1455

Latisha.Sanders999@gmail.com

To: By email to Judy.Selmeci@WilsonElser.com and
by first class mail and certified mail, return receipt requested
Attorney for defendant LiveOnNY
Judy C. Selmeci
150 East 42nd Street
New York, New York 10017-5639
(212) 490-3000

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LATISHA SANDERS INDIVIDUALLY, AND AS
ADMINISTRATOR, MOTHER AND NEXT OF KIN
FOR DECEASED MINOR CHILD CEDRIC
MCEADDY,

Plaintiff,

-against-

LIVEON NEW YORK ORGAN DONATION,
RN ALTHEA COGGINS IN HER OFFICIAL AND
INDIVIDUAL CAPACITY,
MD SANDRA SICULAR IN HER OFFICIAL AND
INDIVIDUAL CAPACITY
BROOKDALE UNIVERSITY HOSPITAL MEDICAL
CENTER,
OFFICE CHIEF MEDICAL EXAMINER,
DR. AGLAE CHARLOT IN HER OFFICIAL AND
INDIVIDUAL CAPACITY,
DETECTIVE ORTIZ IN HIS OFFICIAL AND
INDIVIDUAL CAPACITY
FAIRHAVEN MEMORIAL CHAPEL JASON
SHEPPARD

Defendants,

CASE NO. 1:16-CV-06526-CBA-SJB

U.S. DISTRICT COURT
E.D.N.Y.
AFTER DEPOSIT OF FEE

**Plaintiff Memorandum of Law In Opposition to Defendants
Motion for Summary Judgment**

Latisha Sanders, *Pro Se*

131 Broome Street, Apt #19F

New York, New York

(646) 215-1455

Latisha.Sanders999@gmail.com

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Preliminary Statement

I Pro Se, Plaintiff Latisha Sanders am writing in Opposition Response to the Defendant LiveOn NY Motion to Summary Judgement for the issue brought forth to the courts on August 8, 2016 see (Dock #2) regarding the deceased minor Cedric McEaddy age 17yrs old, "aka" Unknown" Male aged 20. The claim alleged arises under the N.Y Tort Pub. H. Law Article 42 for the claim of Loss Right of Sepulcher. In Plaintiff's response motion, Plaintiff shall dispute LiveOnNY Memorandum of Law, its Statement of Undisputed Facts in which it alleges LiveOn NY has not interfered with plaintiff's immediate access to the body of the deceased. Also, its unsupported dispute without any supported documentary evidence to the material of facts that LiveOn NY has not recovered organs/tissue from the deceased or intereferred with Plaintiff's right to immediate possession of the body. LiveOnNY has not provided sufficient evidence to support its motion that a trial or jury could rule in its favor according to the Fed. R. Evid. 403 waisting

the courts time and needlessly presenting cumulative documents without ever introducing any new evidence to support its first attempt at a Motion to Dismiss and Summary Judgement see (Dock# 133) ruling. Also, under Fed. R. Evid. 902(13),(14) LiveOnNY has not presented any certified evidentiary proof of its call between Office Chief Medical Examiner and Brookdale Hospital without any sworn statements, affirmation, declarations or deposition from any of the prior co-defendant's attesting to the calls provided by LiveOnNY to which any reasonable juror can prove that the calls provided by LiveOnNY are even of the said person(s) on each call.

Plaintiff is asking the courts to take judicial notice of the evidence LiveOnNY has provided to the courts which are the same it has provided during its prior pleading and decide not on the authorities LiveOn NY sites without taking into account it has no true evidence to support even after discovery that organs/tissue were not removed and that its now alleged "limited" hold did not interfere with the Plaintiff's Loss Right of Sepulcher and deny the Defendants Motion for Summary Judgement ruling in favor of the Plaintiff for monetary relief sought.

There is no genuine dispute to the material facts presented by the Plaintiff in the

amended complaint see (Exh. A) of the Defendant's Undisputed Facts.

Defendant cannot dispute without any evidence other than its own Declarations

see (Exh.C,D and E) of defendants Statement of Undisputed facts. Plaintiff is

therefore entitled to a monetary judgment as a matter of law.

Legal Standard

--- Rule 56 Opposition Motion for Summary Judgement

A party seeking summary judgment must demonstrate, prima facie, entitlement to judgment as a matter of law by presenting sufficient evidence to negate any material issue of fact. If the movement meets this burden, the opponent must rebut the prima facie showing by submitting admissible evidence demonstrating the existence of factual issues requiring a trial. Otherwise, the motion must be denied, regardless of the sufficiency of the motion.

In reveiwing motions for Summary Judgement, it is axiomatoc that the Court reviews the record in the light most favorable to the non-moving party and accord that party the benefit of every possible inference E.g., Leon v. Martinez 84 N.Y.2d 83,88 (1994); see also AG Capital Funding Partners. L.P. v. State Street Bank and Tr., 5. N.Y. 3d 582,590-91 (2005) (moving party must show documentary evidence consclusively refutes Plaintiff's allegations); id at 476 (any deficiencies in complaint may be amplified by supplemental pleadings and and other evidence). The Court must "determine" only whether the facts as alleged fit within only cognizable legal theory.

In LiveOnNY legal Standard pg2. cites cases inferring a trial. However, LiveOnNY Local Rule 56.2. Notice states that LiveOnNY has asked the court to decide the case without a trial based on written materials, including affidavits, submitted in support of the motion. Also, note the motion letter to the courts, the plaintiff has aslo written stating in lite of Covid-19 Plaintiff would be asking the courts to review the case and decide without a jury trial. See (Dock #174).

In this motion LiveOn NY as the moving party must show documentary evidence that can conclusively refute the Plaintiff and the Courts must determine only whether the facts as alleged fit within any cognizable legal theory. [.] "Leon, 84 N.Y. 2d at 87. Summary Judgement in this case should be denied by the moving party when its employee declarations are not admissible evidence to support a Summary Judgment. *Carroll v. Knickerbocker Ice Company* 218 N.Y. 435, 113 N.E. 507 (1916). The moving party declarations does not have sufficient factual evidence behind them. The Defendant Declarations in its Statement of Undisputed Facts see (Exh. C,D,E) has not been subject to cross examination. *Brickerstaff v. Vassar Coll.*, 196 F. 3d 435, 455 (2d Cir. 1999), *Ramos v, Baldor Specialty Foods, Inc.* 10. Cir. 6271 (RMB) (S.D.N.Y. Jun.16, 2011). Also were contradictory testimony of a declaration contradicts that of

Defendant deposition in this Summary Judgement should be rejected and denied. :Golden, 2007 WL 4299443, at *9 (collecting cases) see Bickerstaff, 196 F.3d at 455; Hayes, 84 F.3d at 619.

It is beyond cavil that a party may not create an issue of fact by submitting an affidavit in a Summary judgement that contradicts the affiants deposition testimony "Bickerstaff v. Vassar Coll, 196 F.3d 435, 455 (2d Cir. 1996) (quoting Hayes v. N.Y.C Dep't of Corr., 84 F.3d 614, 619 (2d Cir. 1996) (internal alterations omitted)). Fed. R. Evid. Rule 102 Purpose states rules should be construed so as to administer every proceeding fairly, to eliminate unjustifiable expense and delay and promote the development of evidence law, to the end of ascertaining the truth and securing a just determination. (As amended Apr. 26, 2011, eff. Dec. 1, 2011).

In Fed. R. Evid Rule 104 (b) states when the relevance of evidence depends on whether a fact exists, proof must be introduced sufficient to support a finding that the fact does exist. The Court may admit the proposed evidence on the condition that the proof be introduced later. LiveOn NY has not shown any new substantiated evidentiary proof from its first attempt at summary judgment. When considering Fed.R. Evid Rule 301, In a civil case, unless a

federal statute or these rules provide otherwise, the party against whom a presumption is directed has the burden of producing evidence to rebut the presumption. But this rule does not shift the burden of persuasion, which remains on the party who had it originally. In applying Fed. R. Evid 302 In a civil case, the state law governs the effect of a presumption regarding a claim or defense for which state law supplies the rule of decision.

Under Article IV. Relevance and its Limits Fed. R. Evid. 402 also allows the Courts in Judicial Matters, Congressionals to test for relevents the Legal Standard of the Courts to decide. In this case where LiveOn NY and Plaintiff has asked the Courts to waive its decision for a jury trial when determing its relevancy of evidence if A.) it has any tendency to make a fact more or less probable than it woud be without the evidence; and B.) the fact is of consequence in determining the action in the matter of organ/tissue harvesting and the "hold" LiveOnNY also alleges it has not interfered. The Court must take into account Fed. R. Evid. 902 LiveOn NY failure to provide along with its declarations Sealed and Signed documents. Since the duration of this case the OCME and Brookdale has provided during prior discovery.

(1) *Pro Se Litigants' Complaints*

It is almost universally recognized in both New York State and Federal Court that the *pro se* pleadings are construed more liberally than those prepared by attorneys. Pezham v. City of New York, 29 A.D.3d 164, 168, 812 N.Y.S.2d 14, 18 (1st Dep't 2006) (a *pro se* complaint should be construed liberally in favor of the pleader). Rosen v. Baum 164 A.D.2d 809, 811, 559 N.Y.S.2d 541, 542 (1st Dep't 1990) (sa. 2me). In Erickson v. Pardus, 551 U.S. 89, 94, 127 S.Ct. 2197 (2007). (*pro se* pleadings "however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers"). See also, Washington v. James, 782 F.2d 1134, 1138 (2nd Cir. 1986) (complaint not to be dismissed unless "frivolous on its face or wholly unsubstantial.").

Argument

Plaintiff is re alleging all claims in its entirety alleged in the Amended Complaint filed August 8, 2016 with the Southern and Eastern District Court of New York against LiveOnNY and all prior co-defendants listed in this brief titled document. All written within the complaint filed and herein throughout Plaintiffs Opposition Response Motion To the Defendants Summary Judgment are to be deemed true and in consideration taken into Judicial Notice by the Courts.

Plaintiff argument arises from the counts made against the Defendant LiveOnNY emerging from the Loss Right Sepulcher under Pub. H, Law 42. Plaintiff re-alleges that the Defendants LiveOnNY along with prior Co-defendants has caused an interference to the immediate access to the body of the deceased alleged to be that of Cedric McEaddy. Plaintiff also states that the current and prior defendants were made aware by the plaintiff that a mutilation to the body of the deceased caused the plaintiff to experience an emotional and mental anguish due to the gross negligence to the handling of the deceased body while the body of the deceased minor was reported and listed as an unknown male age 20. Defendant LiveOnNY, Brookdale Medical Hospital and the Office Chief

Medical Examiner were made aware of the deceased who arrived to Brookdale Hospital listed as an Unknown and Unclaimed male aged 20yrs old. Plaintiff argues that LiveOnNY was made aware that the deceased Cedric McEaddy was listed as an unknown without having any family members accompanied by the deceased at the time of death. LiveOnNY continued to peruse the deceased minor for organ/tissue donation. According to Deposition taken by Jose Maria from Brookdale Hospital (Exh. B) Pg. 75 lines 5–25) of the Plaintiffs Opposition Brief stated LiveOnNY once determines a decedent as a suitable organ donor than the Defendant sends out its team to Brookdale Hospital Medical Center. LiveOnNY has not provided any official documents through certification or by certified records according to the Fed. R. Evid showing that the Defendants abandoned its pursuit of the deceased for organ/tissue as LiveOnNY alleges.

LiveOnNY are the only organ donation to be listed in the deceased medical records and autopsy records as citing it had an interest to the body of the deceased. The defendant obtained a “hold: to control the flow of the deceased body from preventing the body from being released into custody by the OCME on May 19, 2016. LiveOnNY claims it had a limited hold for the body said to be of Cedric McEaddy. However, LiveOnNY hold was granted by the

OCME until 10am. LiveOnNY did not release the hold to the body until 7:42pm on May 19, 2016.

During the times LiveOnNY had its alleged limited hold the body of the deceased appears to have been severely mutilated before an autopsy occurred on May 20, 2016 (Exh. F a USB flash drive provide to the courts and defendants). Unfortunately, when the Plaintiff returned back to the Brookdale Hospital at 2:30pm after having left the hospital shortly after 6:30am on May 19, 2016. At the plaintiff arrival at 2:30pm inquiring to view the body of the deceased Cedric McEaddy plaintiff was informed by the hospital admissions that there was no deceased listed as Cedric McEaddy with their hospital. Plaintiff was informed by the hospital admissions that the deceased had already been discharged from its hospital as an unknown unclaimed male aged 20.

On May 19, 2016 plaintiff arrived to the OCME at 3:30pm and was informed that the there were no deceased by the name of Cedric McEaddy and not of an Unknown male aged 20. Plaintiff was informed during the time at the OCME that the deceased body was not released yet into their custody. All the while LiveOnNY is the only listed organ donation organization listed in the deceased medical reports obtained by the plaintiff on June 15, 2016. (Exh. A)

Plaintiff is seeking from the courts a final monetary judgment in the amount of \$250,000.00 for the interference caused by the defendant LiveOnNY untimely delay in the release of the body to the OCME ultimately causing an emotional and mental anguish infliction to the plaintiff. The defendants has not provided and tangible evidence as outlined in the Fed. R. Evid 1006 to survive its request for a summary judgment in its favor. Melfi v. Mount Sinai Hosp, 877 N.Y.S 2d 300,304 (App. Div.1st Dept 2009). The defendants has not shown any proof of evidence to support that the case with the minor deceased was closed with LiveOnNY without organ harvesting being carried out. LiveOnNY has not provided any documents to support its own theories that its employees declarations without any substantive writ to support its dispute also without first ever showing any certified documented considered to be evidence from any prior co-defendants even a showing of its own evidence that any of the Plaintiffs allegations made in the amended complaint are not to be taken as facts.

LiveOn NY states in its argument on Pg. (¶) 3 of its Memorandum of Law that it's "evidence" submitted within its motion should be entitled to summary judgment. However, this is LiveOn NY 2nd attempt at moving the courts to dismiss the claims alleged in the amended complaint *see* LiveOn NY (Exh. A).

LiveOnNY has failed to introduce any new evidence or any material of facts to the Courts that it did not already furnish to the Courts in its prior ruling. *See* (Dock#133) after the discovery concluded with Plaintiff. LiveOn NY also continues to poorly plead its argument for supplemental jurisdiction when it did not prevail in its prior argument in its Motion to Dismiss and for Summary Judgement *See* (Dock #36),(Exh E). LiveOn NY did not properly address its own answer to the complaint *see* (Dock# 22) and therefore waived its right to replead two years in the case. Under 28 U.S.C. §(s) 1367(a), District Courts have "supplemental jurisdiction over all other claims that are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution." While the District Court may, at its discretion, exercise supplemental jurisdiction over state law claims even where it has dismissed all claims over which it had original jurisdiction, *see* 28 U.S.C. §(s) 1367(c)(3), it cannot exercise supplemental jurisdiction unless there is first a proper basis for original federal jurisdiction. Cushing v. Moore, 970 F.2d 1103, 1106 (2d Cir. 1992); *see* *In re Joint Eastern and Southern Dist. Asbestos Litig.*, 14 F.3d 726, 730 n.2 (2d Cir. 1993) ("[T]he court may not exercise supplemental jurisdiction

over claims unless the court has 'original jurisdiction' over at least one of the plaintiff's claims."). In this case Plaintiff along with all prior codefendants were all alleged to have interfering with plaintiff due process under a New York tort law Loss Right of Sepulcher.

Point I LiveOnNY NY did not Recover Organs or Tissue from the Decedent

I Dispute– LiveOnNY claim that their is no evidence in the world that would support its argument of not recovering any tissue or organs from the minor "unknown" decedent. LiveOnNY has not provided any written evidence from any of the co-defendants to supports its own theory that organs or tissue was not recovered. There is no evidence from Brookdale Hospital Medical Center and The Office Chief Medical Examiner (OCME) that could support LiveOnNY refuted arguments. Even with discovery LiveOnNY has not shown any evidentiary proof to dispute any of the Plaintiff's alleged claims.

LiveOnNY continues to argue in its Point I that it's evidence will support Plaintiffs' claims or "theories" when their are no evidence of its own according to the Fed. R. Evid 104 Proof must be introduced sufficient to support a finding that the fact does exist. Also when considering Fed. R. Evid 301 in a civil case unless federal statute or the rules provide otherwise, the party against whom a presumption is directed has the burden of producing evidence to rebut. In this case LiveOnNY has not introduced to the courts any conflicting evidence that can properly dispute Plaintiff's claims.

The only evidence LiveOnNY can rely on as its burden of proof are its declarations of its employees that Courts should consider as hearsay. LiveOnNY has not provided any material of facts to arguable dispute that no organs/tissue were not recovered. LiveOnNY cites cases such as in Shipley v. City of New York, 25 N.Y. 3d 645 (2015) 37 N.E. 3d 58 16 N.Y.S.3d 1 2015 that has no bearing to the issue at matter. LiveOnNY is not the OCME and has no probable plea to plead immunity as the OCME and LiveOnNY provide separate functions to the deceased and also state laws and regulations. Shipley refers to the ME performing an unauthorized autopsy in this case LiveOnNY did not.

Point II LiveOnNY did not Interfere with the Plaintiff's Possession of the Body

- *LiveOnNY Did not Have Possession of the Body. Therefore it is Entitled to Summary Judgment as a Matter of Law*

I Dispute- LiveOnNY argument that it did not have possession of the body as the defendant stated on Pg. 5 of its Memorandum of Law. LiveOnNY cites cases that can only prove that A.)interference's of deceased remains do occur. B.) Interference and also organ/tissue harvesting that occur can cause an emotional and mental anguish to a next of kin. Even so, LiveOnNY cannot

provide any of its own evidence to any material fact that it did not receive authority of the body through its "hold" and that while having the "hold" it gave LiveOnNY "control" over the body despite how "limited" LiveOnNY claimed it had.

The Defendant has failed to provide credible evidence sufficient to dispute the material facts alleged in the Plaintiffs' amended complaint (see Exh. A) of the Defendants Statement of Undisputed Facts. There are no documents LiveOnNY can identify as probative value in a weight of evidence according to the Fed. R. Evid. 403 LiveOnNY cannot arguably provide any substantiating evidence according to the Fed. R. Evid 902 (4),(8),(10),(13),(14) that can authenticate and or confirm or deny the validity of the prior co-defendants on its calls. (See LiveOnNY Statement of Undisputed Facts paragraph 9 through 11.) The calls in dispute of Brookdale Hospital with LiveOnNY where no prior Co-defendant can attest that the calls are that of George Devestay and the Co-defendants. In this case LiveOnNY has not shown that there are any depositions, interrogatories and or affidavits from co-defendants to support its' employees claim regarding the OCME "hold" and its "limited" involvement as outlined in Fed. R. Evid. 901(1),(5),(6). In fact, there are no cross-motion examination from LiveOnNY employees that cannot be construed as hearsay.

- *The "Hold" is a Discretionary Exercise of the Medical Examiner's Authority for which No Action Lies and Certainly None Against LiveOnNY*

Also, in the case were LiveOnNY disputes that the "hold" on the deceased body as a Discretionary Exercise of the Medical Examiners Authority for which No action lies against the defendants which simply LiveOnNY has not provided in any way proof of any documentary facts that the "hold" it received was "discretionary" from the OCME. Defendants citing case law is not sufficient alone to grant a summary judgment in favor of a moving party that lacks evidence to material facts.

- *In Any Event, There is No Proximate Causation Between the Hold and the ME's Activities*

The Defendant continues to cite cases that does not address the material facts. The claim of Loss Right of Sepulcher is not against LiveOnNY failure to notify in the case of *Duffy v. City of New York*, 178 A.D.2d 370 (1st Dept 1991) neither in the case *Mack v. Brown*, 82 A.D.3d 133, 137 (2nd Dept 2011) is the Plaintiff disputing against the defendant that the plaintiff is the next of kin to the descendant. Their is also no dispute with LiveOnNY about the OCME and or NYPD possessing the body of the deceased Cedric McEaddy "aka" "Unknown" for "public necessity" as the defendant mistakenly argues. The Court must also take

notice to Fed. R. Evid 403 where the Defendant at its 2nd attempt at motioning the courts to either dismiss the claims with summary judgment to now its second attempt to cause an undue delay, wasting time, by needlessly presenting cumulative cited case laws without ever properly pleading the case based on its own material facts, unsupported documents used to dispute the claims alleged in the plaintiffs amended complaint in (Exh. A) of defendants statement of undisputed facts, to now hinder the case from a possible settlement, Courts ruling and or trial.

The Court must take consideration to Fed. R. Evid 102 and the purpose these rules should be construed so as to administer every proceeding fairly, eliminate unjustifiable expense and delay, and promote the development of evidence law, to the end of ascertaining the truth and securing a just determination.

Point III LiveOnNY is Immune from Liability Pursuant to N.Y. Pub.
H. Law § 4306

I Dispute– LiveOnNY plea of immunity is inefficient on its face. The defendant has not provided proof of any approved Anatomical Gift. Neither can

it provide any record of proof under 21 CFR § 1270.33 – Records, general requirements. (f) All persons or establishments that generate records used in determining the suitability of the donor shall retain such records and make them available for authorized inspection or upon request by FDA. The person(s) or establishment(s) making the determination regarding the suitability of the donor shall retain all records, or true copies of such records required under 21 CFR § 1270.21, including all testing and screening records, and shall make them available for authorized inspection or upon request from FDA. Records that can be retrieved from another location by electronic means meet the requirements of this paragraph. (g) Records required under this part may be retained electronically, or as original paper records, or as true copies such as photocopies, microfiche, or microfilm, in which case suitable reader and photocopying equipment shall be readily available. (h) Records shall be retained at least 10 years beyond the date of transplantation if known, distribution, disposition, or expiration, of the tissue, whichever is latest.

According to the Fed. R. Evid 301 and under Rule 401(b). the "facts" is of consequence in determining the action. In this case for summary judgment.

There is no evidence the defendants can produce showing that a "Good Faith" acts warrants immunity.

According to 21 CFR § 1270.33 there are no original records LiveOnNY can rely on as facts to prove a "Good Faith" action had occurred. The Defendants have not provided any supporting documents of its own from the OCME or Brookdale Hospital Medical Center showing a Good Faith action was granted from either prior co-defendants to support its own disputes let alone that of the deceased. Yet LiveOnNY has not proven that it acted in good faith through informed consent. There is no evidence whatsoever in the Defendants' Statement of Undisputed Facts that a trier of jury could reasonably grant LiveOnNY request for "good faith" immunity. LiveOnNY claim of "Good Faith" should be up to the courts or a jury to determine as it requires careful analysis of the facts in a particular case. (McKinney 2002)(New York).

The moving Defendant has failed to prove its claim of "good faith". LiveOnNY does not provide sufficient proof or showing with any substantiated supporting documents how it complied with all provisions of the UNIFORM ANATOMICAL GIFT ACT (UAGA) Pub. H. Law 4301 to grant its alleged immunity from liability. Lastly, Brookdale Hospital Medical Center and the OCME pursuant

to Federal Rule 26 has never during discovery stated in interrogatories or during exchange of documents that the body remains of the deceased minor Cedric McEaddy "aka" "Unknown" was given to the Defendants in good faith. Therefore, LiveOnNY should not be granted immunity and its case should be denied due to lack of its own insufficient evidence.

Conclusion

For the above-mentioned reasons, I Plaintiff, Pro Se Latisha Sanders must be rewarded a monetary awarded judgment in the amount of \$2500,000.00 and any prayer relief the Courts deems fit for the claims alleged against the defended in the Amended Complaint pursuant to Rule 56 as a matter of Federal Law.

Dated: New York, New York
December 30, 2020

Respectfully,



By: Latisha Sanders

131 Broome Street
Apt # 19F
New York, New York 10002
(646) 215-1455
Latisha.Sanders999@gmail.com

To: By email to Judy.Selmeci@WilsonElser.com and
by first class mail and certified mail, return receipt requested
Attorney for the defendant LiveOnNY
Judy C. Selmecci

150 East 42nd Street
New York, New York 10017-5639
(212) 490-3000

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

ED Records (continued)

ED Events (continued)

Date/Time	Event	User	Comments	Last Edited
05/19/16 0019	Triage Started	COGGINS, ALTHEA		05/19/16 0019
05/19/16 0019	Trauma Injury Event	COGGINS, ALTHEA		05/19/16 0019
05/19/16 0034	Lab Ordered	EDI, LAB IN HLSEVEN	TYPE AND SCREEN	05/19/16 0034
05/19/16 0035	Lab Ordered	EDI, LAB IN HLSEVEN	RED BLOOD CELLS	05/19/16 0035
05/19/16 0035	Lab Ordered	EDI, LAB IN HLSEVEN	THAWED PLASMA	05/19/16 0035
05/19/16 0035	Lab Ordered	EDI, LAB IN HLSEVEN	SINGLE DONOR PLATELETS	05/19/16 0035
05/19/16 0037	Registration Completed	JOHNSON, MELISSA		05/19/16 0037
05/19/16 0037	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) THAWED PLASMA	05/19/16 0037
05/19/16 0038	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) SINGLE DONOR PLATELETS	05/19/16 0038
05/19/16 0040	Assign Attending	SICULAR, SANDRA	Sandra Sicular, M assigned as Attending	05/19/16 0040
05/19/16 0040	Assign Physician	SICULAR, SANDRA		05/19/16 0040
05/19/16 0041	Physician LOS Filed	SICULAR, SANDRA	LOS Code 99285 filed	05/19/16 0041
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) THAWED PLASMA	05/19/16 0044
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) SINGLE DONOR PLATELETS	05/19/16 0044
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) THAWED PLASMA	05/19/16 0044
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) SINGLE DONOR PLATELETS	05/19/16 0044
05/19/16 0047	Assign Nurse	COGGINS, ALTHEA	Althea Coggins, R assigned as Registered Nurse	05/19/16 0047
05/19/16 0048	Patient roomed in ED	COGGINS, ALTHEA	To room A-TR 1	05/19/16 0048
05/19/16 0127	Disposition Selected	SICULAR, SANDRA	ED Disposition set to Expired	05/19/16 0127
05/19/16 0201	ED Provider Note Filed	SICULAR, SANDRA	ED Prov Note filed by Sandra Sicular, MD	05/19/16 0201
05/19/16 0202	Charting Complete	SICULAR, SANDRA		05/19/16 0202
05/19/16 0202	Remove Attending	SICULAR, SANDRA	Sandra Sicular, M removed as Attending	05/19/16 0202
05/19/16 0211	Triage Completed	COGGINS, ALTHEA		05/19/16 0211
05/19/16 0507	Patient transferred	VAN LARE, CONSTANCE	From room A-TR 1 to room In Transit	05/19/16 0507
05/19/16 0507	Patient In	VAN LARE, CONSTANCE		05/19/16

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

ED Records (continued)

ED Events (continued)

Date/Time	Event	User	Comments	Last Edited
	Transit/Psych TX			0507
05/19/16 0545		VAN LARE, CONSTANCE		
05/19/16 0545		VAN LARE, CONSTANCE		
05/19/16 0600	Patient discharged	COGGINS, ALTHEA		05/19/16 0651
05/19/16 0600	Patient departed from ED	COGGINS, ALTHEA		05/19/16 0651
05/19/16 0651		COGGINS, ALTHEA		
05/19/16 0651		COGGINS, ALTHEA		
05/27/16 0308	Charting Complete	COGGINS, ALTHEA		05/27/16 0308
05/17/16 1403	Lab Ordered	EDI, LAB IN HLSEVEN	RED BLOOD CELLS	05/17/16 1403

ED Events

Date/Time	Event	User	Comments	Last Edited
05/19/16 0018	Patient arrived in ED	JOHNSON, MELISSA		05/19/16 0018
05/19/16 0018	Provider First Contact	SICULAR, SANDRA		05/19/16 0040
05/19/16 0018	Patient expected in ED	JOHNSON, MELISSA		05/19/16 0018
05/19/16 0018		JOHNSON, MELISSA		
05/19/16 0018		JOHNSON, MELISSA		
05/19/16 0019	Triage Started	COGGINS, ALTHEA		05/19/16 0019
05/19/16 0019	Trauma Injury Event	COGGINS, ALTHEA		05/19/16 0019
05/19/16 0034	Lab Ordered	EDI, LAB IN HLSEVEN	TYPE AND SCREEN	05/19/16 0034
05/19/16 0035	Lab Ordered	EDI, LAB IN HLSEVEN	RED BLOOD CELLS	05/19/16 0035
05/19/16 0035	Lab Ordered	EDI, LAB IN HLSEVEN	THAWED PLASMA	05/19/16 0035
05/19/16 0035	Lab Ordered	EDI, LAB IN HLSEVEN	SINGLE DONOR PLATELETS	05/19/16 0035
05/19/16 0037	Registration Completed	JOHNSON, MELISSA		05/19/16 0037
05/19/16 0037	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) THAWED PLASMA	05/19/16 0037
05/19/16 0038	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) SINGLE DONOR PLATELETS	05/19/16 0038
05/19/16 0040	Assign Attending	SICULAR, SANDRA	Sandra Sicular, M assigned as Attending	05/19/16 0040
05/19/16 0040	Assign Physician	SICULAR, SANDRA		05/19/16 0040
05/19/16 0041	Physician LOS Filed	SICULAR, SANDRA	LOS Code 99285 filed	05/19/16 0041
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result)	05/19/16

Handwritten:
Hank
Barone
house at
funeral home

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

ED Records (continued)

ED Events (continued)

Date/Time	Event	User	Comments	Last Edited
			THAWED PLASMA	0044
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) SINGLE	05/19/16
			DONOR PLATELETS	0044
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result)	05/19/16
			THAWED PLASMA	0044
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) SINGLE	05/19/16
			DONOR PLATELETS	0044
05/19/16 0047	Assign Nurse	COGGINS, ALTHEA	Althea Coggins, R assigned	05/19/16
			as Registered Nurse	0047
05/19/16 0048	Patient roomed in ED	COGGINS, ALTHEA	To room A-TR 1	05/19/16
				0048
05/19/16 0127	Disposition Selected	SICULAR, SANDRA	ED Disposition set to	05/19/16
			Expired	0127
05/19/16 0201	ED Provider Note	SICULAR, SANDRA	ED Prov Note filed by	05/19/16
	Filed		Sandra Sicular, MD	0201
05/19/16 0202	Charting Complete	SICULAR, SANDRA		05/19/16
				0202
05/19/16 0202	Remove Attending	SICULAR, SANDRA	Sandra Sicular, M removed	05/19/16
			as Attending	0202
05/19/16 0211	Triage Completed	COGGINS, ALTHEA		05/19/16
				0211
05/19/16 0507	Patient transferred	VAN LARE, CONSTANCE	From room A-TR 1 to room	05/19/16
			In Transit	0507
05/19/16 0507	Patient In	VAN LARE, CONSTANCE		05/19/16
	Transit/Psych TX			0507
05/19/16 0545		VAN LARE, CONSTANCE		
05/19/16 0545		VAN LARE, CONSTANCE		
05/19/16 0600	Patient discharged	COGGINS, ALTHEA		05/19/16
				0651
05/19/16 0600	Patient departed from	COGGINS, ALTHEA		05/19/16
	ED			0651
05/19/16 0651		COGGINS, ALTHEA		
05/19/16 0651		COGGINS, ALTHEA		
05/27/16 0308	Charting Complete	COGGINS, ALTHEA		05/27/16
				0308
06/17/16 1403	Lab Ordered	EDI, LAB IN HLSEVEN	RED BLOOD CELLS	06/17/16
				1403

ED Events

Date/Time	Event	User	Comments	Last Edited
05/19/16 0018	Patient arrived in ED	JOHNSON, MELISSA		05/19/16
				0018
05/19/16 0018	Provider First Contact	SICULAR, SANDRA		05/19/16
				0040
05/19/16 0018	Patient expected in	JOHNSON, MELISSA		05/19/16
	ED			0018
05/19/16 0018		JOHNSON, MELISSA		
05/19/16 0018		JOHNSON, MELISSA		
05/19/16 0019	Triage Started	COGGINS, ALTHEA		05/19/16

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ED Records (continued)

ED Events (continued)

Date/Time	Event	User	Comments	Last Edited
05/19/16 0019	Trauma Injury Event	COGGINS, ALTHEA		0019 05/19/16
05/19/16 0034	Lab Ordered	EDI, LAB IN HLSEVEN	TYPE AND SCREEN	0034 05/19/16
05/19/16 0035	Lab Ordered	EDI, LAB IN HLSEVEN	RED BLOOD CELLS	0035 05/19/16
05/19/16 0035	Lab Ordered	EDI, LAB IN HLSEVEN	THAWED PLASMA	0035 05/19/16
05/19/16 0035	Lab Ordered	EDI, LAB IN HLSEVEN	SINGLE DONOR PLATELETS	0035 05/19/16
05/19/16 0037	Registration Completed	JOHNSON, MELISSA		0037 05/19/16
05/19/16 0037	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) THAWED PLASMA	0037 05/19/16
05/19/16 0038	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) SINGLE DONOR PLATELETS	0038 05/19/16
05/19/16 0040	Assign Attending	SICULAR, SANDRA	Sandra Sicular, M assigned as Attending	0040 05/19/16
05/19/16 0040	Assign Physician	SICULAR, SANDRA		0040 05/19/16
05/19/16 0041	Physician LOS Filed	SICULAR, SANDRA	LOS Code 99285 filed	0041 05/19/16
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) THAWED PLASMA	0044 05/19/16
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) SINGLE DONOR PLATELETS	0044 05/19/16
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) THAWED PLASMA	0044 05/19/16
05/19/16 0044	Lab Resulted	EDI, LAB IN HLSEVEN	(Preliminary result) SINGLE DONOR PLATELETS	0044 05/19/16
05/19/16 0047	Assign Nurse	COGGINS, ALTHEA	Althea Coggins, R assigned as Registered Nurse	0047 05/19/16
05/19/16 0048	Patient roomed in ED	COGGINS, ALTHEA	To room A-TR 1	0048 05/19/16
05/19/16 0127	Disposition Selected	SICULAR, SANDRA	ED Disposition set to Expired	0127 05/19/16
05/19/16 0201	ED Provider Note Filed	SICULAR, SANDRA	ED Prov Note filed by Sandra Sicular, MD	0201 05/19/16
05/19/16 0202	Charting Complete	SICULAR, SANDRA		0202 05/19/16
05/19/16 0202	Remove Attending	SICULAR, SANDRA	Sandra Sicular, M removed as Attending	0202 05/19/16
05/19/16 0211	Triage Completed	COGGINS, ALTHEA		0211 05/19/16
05/19/16 0507	Patient transferred	VAN LARE, CONSTANCE	From room A-TR 1 to room In Transit	0507 05/19/16
05/19/16 0507	Patient In Transit/Psych TX	VAN LARE, CONSTANCE		0507 05/19/16

Brookdale Hospital Medical Center One Brookdale Plaza
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ED Records (continued)

ED Events (continued)

Date/Time	Event	User	Comments	Last Edited
05/19/16 0545		VAN LARE, CONSTANCE		
05/19/16 0545		VAN LARE, CONSTANCE		
05/19/16 0600	Patient discharged	COGGINS, ALTHEA		05/19/16 0651
05/19/16 0600	Patient departed from ED	COGGINS, ALTHEA		05/19/16 0651
05/19/16 0651		COGGINS, ALTHEA		
05/19/16 0651		COGGINS, ALTHEA		
05/27/16 0308	Charting Complete	COGGINS, ALTHEA		05/27/16 0308
06/17/16 1403	Lab Ordered	EDI, LAB IN HLSEVEN	RED BLOOD CELLS	06/17/16 1403

ED Notes

ED Notes by Althea Coggins, RN at 05/19/16 0255

Author: Althea Coggins, RN Service: (none) Author Type: Registered Nurse
Filed: 05/19/16 0306 Date of Service: 05/19/16 0255 Creation Time: 05/19/16 0255
Status: Addendum Editor: Althea Coggins, RN (Registered Nurse)
Related Notes: Original Note by Althea Coggins, RN (Registered Nurse) filed at 05/19/16 0255

Pt in area D, accompanied by police officers,

Electronically signed by Althea Coggins, RN on 05/19/16 0306

ED Provider Notes by Sandra Sicular, MD at 05/19/16 0041

Author: Sandra Sicular, MD Service: (none) Author Type: Physician
Filed: 05/19/16 0201 Date of Service: 05/19/16 0041 Creation Time: 05/19/16 0041
Status: Signed Editor: Sandra Sicular, MD (Physician)
Procedure Orders:
1. CHEST TUBE INSERTION [54764584] ordered by Sandra Sicular, MD at 05/19/16 0105
2. THORACOTOMY, CTRL TRAUMA BLEED [54764582] ordered by Sandra Sicular, MD at 05/19/16 0104
3. Central Line Insertion [54764580] ordered by Sandra Sicular, MD at 05/19/16 0103

Time of First Contact:

I saw the patient at: 0018 [05/19/16 0040]

History

Chief Complaint

Patient presents with

- Gun Shot Wound

HPI

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

ED Notes (continued)

ED Provider Notes by Sandra Sicular, MD at 05/19/16 0041 (continued)

20 y.o. Male A Unknown Adult bibems as a prenotification for gsw to left chest, intubated. Level 1 trauma code called prior to arrival, Dr. Toribio and trauma team present on arrival of patient. As per EMS, patient found talking on street, in transit became altered, hypotensive, 18 gauge IV with NS running to left AC prior to arrival, intubated prior to arrival. Had vital signs in transit, lost pulses in ambulance bay.

Precinct 67. present in ED.

No past medical history on file.

No past surgical history on file.

No family history on file.

History

Substance Use Topics

- | | |
|----------------------|-------------|
| • Smoking status: | Not on file |
| • Smokeless tobacco: | Not on file |
| • Alcohol Use: | Not on file |

Review of Systems

Unable to perform ROS: Intubated

Physical Exam

BP 75/60 | Pulse 44 | Resp 22 | Ht 5' 5" (1.651 m) | Wt 150 lb (68.04 kg) | BMI 24.96 kg/m² | SpO₂ 78%

Physical Exam

Constitutional: He appears well-developed and well-nourished. He appears distressed. He is intubated.

Cervical collar in place.

Thin male, Intubated

HENT:

Head: Normocephalic and atraumatic.

Right Ear: External ear normal.

Left Ear: External ear normal.

Eyes:

Fixed and dilated

Neck:

c-collar in place

Cardiovascular:

Pulseless

Pulmonary/Chest: Apnea noted. He is intubated.

BS equal on BVM

Absent over epigastrium

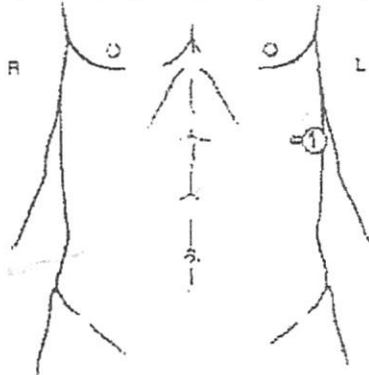
Abdominal: Soft. There is no tenderness.

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

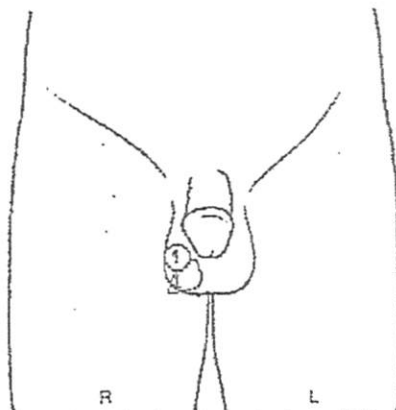
MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

ED Notes (continued)

ED Provider Notes by Sandra Sicular, MD at 05/19/16 0041 (continued)



1: GSW
Genitourinary:

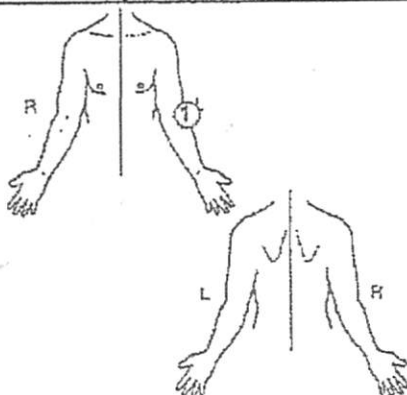


1: Avulsed skin, deep tissue structures visible

Musculoskeletal: He exhibits no edema.

ED Notes (continued)

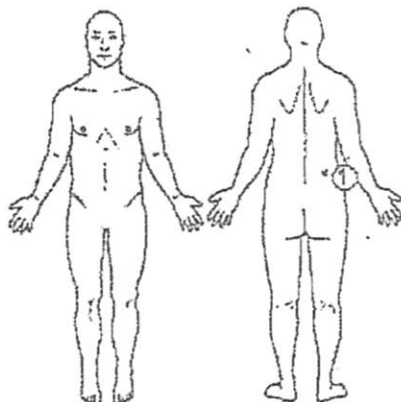
ED Provider Notes by Sandra Sicular, MD at 05/19/18 0041 (continued)



Arms: 1: infiltrated field IV line

Neurological: He is unresponsive. GCS eye subscore is 1. GCS verbal subscore is 1. GCS motor subscore is 1.

Skin: Skin is warm and dry. He is not diaphoretic.



1: GSW, palpable bullet fragment

Assessment

Traumatic cardiac arrest, GSW.

Plan

See ED course.

Brookdale Hospital Medical Center One Brookdale Plaza
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ED Record

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Acct #: 2001056108
Adm: 5/19/2018 D/C: 5/19/2018

ED Notes (continued)

ED Provider Notes by Sandra Sicular, MD at 05/19/16 0041 (continued)

ED Course

ED thoracotomy and MTP initiated as patient lost vital signs in ED. See procedure notes.
Bedside FAST positive for fluid in morrison's pouch and suprapubic, unable to view splenic recess and pericardium secondary to thoracotomy. Despite resuscitative efforts, patient expired. Time of death 12:33 AM.

Medical examiner notified at 1:14 AM
D/w investigator Jim Meyer
Case number # K16-2715
Admitting notified at 1:24 AM
Organ donation to be notified by other medical staff or admitting staff.

1:58 AM

Authorities able to locate family members. Now present in ED. Notified of death by members of the 67th precinct. Deceased identified as Cedric McEddy. Medical examiner's office updated of this information.

Central Line

Performed by: SICULAR, SANDRA
Authorized by: SICULAR, SANDRA
Consent: The procedure was performed in an emergent situation.
Indications: vascular access
Preparation: skin prepped with Chloraprep
Location details: right femoral
Patient position: flat
Catheter type: Cordis
Catheter size: 8 Fr
Number of attempts: 1
Successful placement: yes
Post-procedure: dressing applied
Assessment: blood return through all ports and free fluid flow
Guide Wire Removed: Yes

Thoracotomy (Trauma)

Performed by: SICULAR, SANDRA
Authorized by: SICULAR, SANDRA
Consent: The procedure was performed in an emergent situation.
Comments: No blood in pericardium
Approx 500 cc blood in left hemithorax

Chest Tube

Performed by: SICULAR, SANDRA
Authorized by: SICULAR, SANDRA
Consent: The procedure was performed in an emergent situation.
Indications comments: GSW to chest
Scalpel size: 11

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056198
Adm: 5/19/2016 D/C: 5/19/2016

ED Notes (continued)

ED Provider Notes by Sandra Sicular, MD at 05/19/16 0041 (continued)

Tube size: 36 French
Dissection instrument: Kelly clamp and finger
Ultrasound guidance: no
Tension pneumothorax heard: no
Tube connected to: suction
Suture material: 0 silk
Dressing: petrolatum-impregnated gauze and 4x4 sterile gauze
Comments: Air returned, condensation in tube
No blood

MDM

Number of Diagnoses or Management Options

GSW (gunshot wound):

Amount and/or Complexity of Data Reviewed

Discuss the patient with other providers: yes

Risk of Complications, Morbidity, and/or Mortality

Presenting problems: high

Diagnostic procedures: high

Management options: high

Patient Progress

Patient progress: other (comment) (expired)

I last reviewed vital signs at -

Electronically signed by Sandra Sicular, MD on 05/19/16 0201

ED Notes by Althea Coggins, RN at 05/19/16 0020

Author: Althea Coggins, RN

Filed: 05/19/16 0156

Status: Signed

Service: (none)

Date of Service: 05/19/16 0020

Editor: Althea Coggins, RN (Registered Nurse)

Author Type: Registered Nurse

Creation Time: 05/19/16 0156

Thorocotomy placed on L Chest

Electronically signed by Althea Coggins, RN on 05/19/16 0156

ED Notes by Althea Coggins, RN at 05/19/16 0037

Author: Althea Coggins, RN

Filed: 05/19/16 0038

Status: Signed

Service: (none)

Date of Service: 05/19/16 0037

Editor: Althea Coggins, RN (Registered Nurse)

Author Type: Registered Nurse

Creation Time: 05/19/16 0038

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

ED Notes (continued)

ED Notes by Althea Coggins, RN at 05/19/16 0037 (continued)

Pt was pronounced deceased at 0033hrs

Electronically signed by Althea Coggins, RN on 05/19/16 0038

Consult Notes

No notes of this type exist for this encounter.

Other Notes

H&P by Samantha Wolfe, MD at 05/19/16 0105

Author: Samantha Wolfe, MD	Service: Trauma Surgery	Author Type: Resident
Filed: 05/19/16 0422	Date of Service: 05/19/16 0105	Creation Time: 05/19/16 0105
Status: Signed	Editor: Samantha Wolfe, MD (Resident)	
Cosigner: Ruben Toribio, MD at 05/19/16 0924		

Subjective

Chief Complaint: Unknown male BIBEMS s/p GSW. Per EMS he was found in the street shot with a single GSW to the thoracoabdominal area (midaxillary line, L3-4 level). He was A&O in the field with vitals, but then became confused en route and bradycardic down to 30s. He was intubated in field. Upon arrival to trauma bay he had a HR of 25 (on monitor, but no palpable pulses), BP 75/60, and was unresponsive with fixed and dilated pupils. Left anterior thoracotomy was performed. Upon entrance to the chest cavity the pericardium was opened, heart was empty with no blood in chambers, no bullet holes. Aorta was clamped and manual massage of heart was performed. Left lung was contused. Single right lateral diaphragm injury was present. Right sided chest tube was placed with no blood returned. Right cordis was inserted. MTP was activated, 2 units uncrossed pRBCs were available in <5 min but 1 unit was sent back due to clerical error. The other unit was initiated infusing. FAST was positive for free fluid in morrison's pouch and suprapubically. At this time, resuscitative efforts were deemed futile and pt was pronounced dead at 12:33AM. All members of trauma surgery and trauma attending physician were present.

Allergies not on file

No current facility-administered medications for this encounter.

No current outpatient prescriptions on file.

No past medical history on file.

No past surgical history on file.

History

Social History

- | | |
|-----------------------|---------|
| • Marital Status: | Unknown |
| Spouse Name: | N/A |
| Number of Children: | N/A |
| • Years of Education: | N/A |

Occupational History

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
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MRN: 2495476
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Adm: 5/19/2016 D/C: 5/19/2016

Other Notes (continued)

H&P by Samantha Wolfe, MD at 05/19/16 0105 (continued)

- Not on file.

Social History Main Topics

- | | |
|----------------------|-------------|
| • Smoking status: | Not on file |
| • Smokeless tobacco: | Not on file |
| • Alcohol Use: | Not on file |
| • Drug Use: | Not on file |
| • Sexual Activity: | Not on file |

Other Topics

- Not on file

Concern

Social History Narrative

- No narrative on file

No family history on file.

Review of Systems

See HPI

Primary Survey Time

- (A) Airway: Intubated
(B) Breathing: Bag mask RR: 22
(C) Circulation: No peripheral pulses
HR: 44 BP: 75/60 Cap Refill: Prolonged
(D) Disability: GCS 3T

Eye opening: 1
Verbal: 1
Motor: 1
GCS Total: 3

(E) LOC: Yes
How long: ?

Resuscitation Phase

- (A) O2 Pulse Oximetry: 75
(B) PIV Access/Fluids: 18 gauge b/l AC Trauma Panel: No
(C) NG: No
(D) Foley: No
(E) Procedures:
(1) FAST: Yes Positive: Yes
(2) Chest Tube: Yes Size: 36F
(3) Central Access: R femoral Cordis
(4) Blood: 1 unit PRBC partially infused MTP Protocol: yes

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Brookdale Hospital Medical Center One Brookdale Plaza
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Adm: 5/19/2016 D/C: 5/19/2016

Other Notes (continued)

H&P by Samantha Wolfe, MD at 05/19/16 0105 (continued)

(5) Thoracotomy: Yes

(6) CPR: No

Secondary Survey

PE:

Gen: Young male, unresponsive

HEENT: Pupils fixed and dilated

Neuro: GCS 3T

Chest: Left anterior thoracotomy

Pulm: Left hemothorax with left diaphragm injury

Abd: Soft, non distended, single GSW in left mid axillary line at 10-11 ICS

Back: Single bullet wound posterior to mid axillary line at right L3-4 level

Rectal: no tone

GU: Abrasion vs graze wound to anterior scrotum

Ext: No obvious deformities

Vasc: No peripheral pulses

Impression/Plan: 17 yo M s/p single GSW to thoracoabdominal area causing hemorrhagic shock. Resuscitative efforts failed to improve vitals and patient was pronounced dead at 12:33 am

- ME and Live On NY notified by ED

- Family present in ED and notified

Electronically signed by Ruben Toribio, MD on 05/19/16 0924

Progress Notes by Dong Lee, MD at 05/19/16 0239

Author: Dong Lee, MD

Filed: 05/19/16 0252

Status: Signed

Cosigner: Ruben Toribio, MD at
05/19/16 0924

Service: Trauma Surgery

Date of Service: 05/19/16 0239

Editor: Dong Lee, MD (Resident)

Author Type: Resident

Creation Time: 05/19/16 0239

Trauma Chief Resident Note

Level 1 Trauma Activation

17 y.o. patient presents with pre-notification to the ER s/p GSW to thoracoabdominal region. Pt lost vitals in the ambulance bay. GCS of 3T upon presentation with HR of 20's and no palpable peripheral pulse. On cursory exam, pt had laceration of right scrotum, two bullet wounds (left 10-11th ICS anterior to the mid-axillary line and

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MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
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Adm: 5/19/2016 D/C: 5/19/2016

Other Notes (continued)

Progress Notes by Dong Lee, MD at 05/19/16 0239 (continued)

right flank posterior to the mid-axillary line at L3-4 level). ED thoracotomy (left antero-lateral) performed. Moderate amount of blood noted in the left hemothorax, pericardium was opened (no blood noted), and the heart was delivered and examined for bullet holes. Agonal contractures noted with empty chambers. Aorta was clamped and manual massage of the heart was performed. Noted was right lateral diaphragm injury as well. Right chest tube was inserted without any blood. Right cordis was inserted for resuscitative efforts. MTP was initiated, but no blood products were administered and released. FAST showed positive fluid in morrison's pouch and suprapubic region. At this time, resuscitative efforts were deemed futile and pt was pronounced dead at 12:33AM. All members of trauma surgery and trauma attending physician were present at the time of pt arrival.

Last 3 Vital Signs Readings

	05/19/16 0026	05/19/16 0031	05/19/16 0032
BP:	98/80	75/60	75/60
Pulse:	53	44	44
Resp:			
SpO2:	80%	78%	76%

Physical Exam:

GCS - 3T
Airway - intubated
Breathing - intubated
Circulation - no peripheral pulses noted
HEENT - pupils dilated and fixed b/l
Neck - wnl
Chest - left thoracotomy performed
Pulm - left hemothorax with left diaphragm injury
Abd - soft, single bullet wound anterior to mid-axillary line at left 10-11th ICS
Pelvis - stable
Back - single bullet wound posterior to mid-axillary line at right L3-4 level
Rectal - no tone
Arms - no obvious deformities
Legs - no obvious deformities
Skin - as above
Vascular - no peripheral pulses
Neuro - intubated
MS - no movement

AP:

17 y.o. patient s/p thoracoabdominal GSW in hemorrhagic shock.
-Expired at 12:33AM on 5/19/16
-ME and LiveOn NY notified by ED

Electronically signed by Ruben Toribio, MD on 05/19/16 0924

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Procedures - All Orders and Results

Central Line Insertion

Electronically signed by: Sandra Sicular, MD on 05/19/16 0103 Status: Completed
Ordering user: Sandra Sicular, MD 05/19/16 0103 Ordering provider: Sandra Sicular, MD
Final result

Filed on: 05/19/16 0201
Narrative:
Sandra Sicular, MD 5/19/2016 2:01 AM
Time of First Contact:
I saw the patient at 0018 [05/19/16 0040]

History

Chief Complaint
Patient presents with
• Gun Shot Wound

HPI

20 y.o. Male A Unknown Adult bibems as a prenotification for gsw to left chest, intubated. Level 1 trauma code called prior to arrival, Dr. Toribio and trauma team present on arrival of patient. As per ems, patient found talking on street, in transit became altered, hypotensive, 18 gauge IV with NS running to left AC prior to arrival, intubated prior to arrival. Had vital signs in transit, lost pulses in ambulance bay.

Precinct 67 present in ED.

No past medical history on file.

No past surgical history on file.

No family history on file.

History

Substance Use Topics

- Smoking status: Not on file
- Smokeless tobacco: Not on file
- Alcohol Use: Not on file

Review of Systems

Unable to perform ROS: Intubated

Physical Exam

BP 75/60 | Pulse 44 | Resp 22 | Ht 5' 5" (1.651 m) | Wt 150 lb
(68.04 kg) | BMI 24.96 kg/m2 | SpO2 78%

Physical Exam

Procedures - All Orders and Results (continued)

Central Line Insertion (continued)

Constitutional: He appears well-developed and well-nourished. He appears distressed. He is intubated. Cervical collar in place.
Thin male, intubated

HENT:

Head: Normocephalic and atraumatic.

Right Ear: External ear normal.

Left Ear: External ear normal.

Eyes:

Fixed and dilated

Neck:

c-collar in place

Cardiovascular:

Pulseless

Pulmonary/Chest: Apnea noted. He is intubated.

BS equal on BVM

Absent over epigastrium

Abdominal: Soft. There is no tenderness.

Genitourinary:

Musculoskeletal: He exhibits no edema.

Arms:

Neurological: He is unresponsive. GCS eye subscore is 1. GCS

verbal subscore is 1. GCS motor subscore is 1.

Skin: Skin is warm and dry. He is not diaphoretic.

Assessment

Traumatic cardiac arrest, GSW.

Plan

See ED course.

ED Course

ED thoracotomy and MTP initiated as patient lost vital signs in ED. See procedure notes.

Bedside FAST positive for fluid in morrison's pouch and suprapubic, unable to view splenic recess and pericardium secondary to thoracotomy. Despite resuscitative efforts, patient expired. Time of death 12:33 AM.

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ED Record

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MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2018 D/C: 5/19/2018

Procedures - All Orders and Results (continued)

Central Line Insertion (continued)

Medical examiner notified at 1:14 AM
D/w Investigator Jim Meyer
Case number # K16-2715
Admitting notified at 1:24 AM
Organ donation to be notified by other medical staff or admitting staff.

1:58 AM

Authorities able to locate family members. Now present in ED.
Notified of death by members of the 67th precinct. Deceased identified as Cedric McEddy. Medical examiner's office updated of this information.

Central Line

Performed by: SICULAR, SANDRA
Authorized by: SICULAR, SANDRA
Consent: The procedure was performed in an emergent situation.
Indications: vascular access
Preparation: skin prepped with Chloraprep
Location details: right femoral
Patient position: flat
Catheter type: Cordis
Catheter size: 8 Fr
Number of attempts: 1
Successful placement: yes
Post-procedure: dressing applied
Assessment: blood return through all ports and free fluid flow
Guide Wire Removed: Yes
Thoracotomy (Trauma)
Performed by: SICULAR, SANDRA
Authorized by: SICULAR, SANDRA
Consent: The procedure was performed in an emergent situation.
Comments: No blood in pericardium
Approx 500 cc blood in left hemithorax

Chest Tube

Performed by: SICULAR, SANDRA
Authorized by: SICULAR, SANDRA
Consent: The procedure was performed in an emergent situation.
Indications comments: GSW to chest
Scalpel size: 11
Tube size: 36 French
Dissection instrument: Kelly clamp and finger
Ultrasound guidance: no
Tension pneumothorax heard: no
Tube connected to: suction
Suture material: 0 silk
Dressing: petrolatum-impregnated gauze and 4x4 sterile gauze
Comments: Air returned, condensation in tube
No blood

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Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Procedures - All Orders and Results (continued)

Central Line Insertion (continued)

MDM

Number of Diagnoses or Management Options
GSW (gunshot wound):

Amount and/or Complexity of Data Reviewed
Discuss the patient with other providers: yes

Risk of Complications, Morbidity, and/or Mortality
Presenting problems: high
Diagnostic procedures: high
Management options: high

Patient Progress
Patient progress: other (comment) (expired)

I last reviewed vital signs at -

CHEST TUBE INSERTION

Electronically signed by: Sandra Sicular, MD on 05/19/16 0105 Status: Completed
Ordering user: Sandra Sicular, MD 05/19/16 0105 Ordering provider: Sandra Sicular, MD

Final result

Filed on: 05/19/16 0201
Narrative:
Sandra Sicular, MD 5/19/2016 2:01 AM
Time of First Contact:
I saw the patient at: 0018 [05/19/16 0040]

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Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495478
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Procedures - All Orders and Results (continued)

CHEST TUBE INSERTION (continued)

Precinct 67 present in ED.

No past medical history on file.

No past surgical history on file.

No family history on file.

History

Substance Use Topics

- Smoking status: Not on file
- Smokeless tobacco: Not on file
- Alcohol Use: Not on file

Review of Systems

Unable to perform ROS: Intubated

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Neurological: He is unresponsive. GCS eye subscore is 1. GCS verbal subscore is 1. GCS motor subscore is 1.

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001058108
Adm: 5/19/2016 D/C: 5/19/2016

Procedures - All Orders and Results (continued)

CHEST TUBE INSERTION (continued)

Skin: Skin is warm and dry. He is not diaphoretic.

Assessment

Traumatic cardiac arrest, GSW.

Plan

See ED course.

ED Course

ED thoracotomy and MTP initiated as patient lost vital signs in ED. See procedure notes.
Bedside FAST positive for fluid in morrison's pouch and suprapubic, unable to view splenic recess and pericardium secondary to thoracotomy. Despite resuscitative efforts, patient expired. Time of death 12:33 AM.

Medical examiner notified at 1:14 AM
D/w investigator Jim Meyer
Case number # K16-2715
Admitting notified at 1:24 AM
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Authorized by: SICULAR, SANDRA
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Location details: right femoral
Patient position: flat
Catheter type: Cordis
Catheter size: 8 Fr
Number of attempts: 1
Successful placement: yes

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Procedures - All Orders and Results (continued)

CHEST TUBE INSERTION (continued)

Post-procedure: dressing applied
Assessment: blood return through all ports and free fluid flow
Guide Wire Removed: Yes
Thoracotomy (Trauma)
Performed by: SICULAR, SANDRA
Authorized by: SICULAR, SANDRA
Consent: The procedure was performed in an emergent situation.
Comments: No blood in pericardium
Approx 500 cc blood in left hemithorax

Chest Tube

Performed by: SICULAR, SANDRA
Authorized by: SICULAR, SANDRA
Consent: The procedure was performed in an emergent situation.
Indications comments: GSW to chest
Scalpel size: 11
Tube size: 36 French
Dissection Instrument: Kelly clamp and finger
Ultrasound guidance: no
Tension pneumothorax heard: no
Tube connected to: suction
Suture material: 0 silk
Dressing: petrolatum-impregnated gauze and 4x4 sterile gauze
Comments: Air returned, condensation in tube
No blood

MDM

Number of Diagnoses or Management Options
GSW (gunshot wound):

Amount and/or Complexity of Data Reviewed
Discuss the patient with other providers: yes

Risk of Complications, Morbidity, and/or Mortality
Presenting problems: high
Diagnostic procedures: high
Management options: high

Patient Progress
Patient progress: other (comment) (expired)

I last reviewed vital signs at -

Blood Bank - All Orders and Results

Printed on 10/5/2018 10:34 AM

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Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1996, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Procedures - All Orders and Results (continued)

Thawed Plasma

Status: Completed

Order placed as a reflex to Type and Screen ordered on 05/19/16 at 0000

Ordering user: Edj, Lab In Hlseven 05/19/16 0000

Ordering provider: Provider Unassigned

Preliminary result

Filed on: 05/19/16 0044

Resulting lab: SCC LAB

Narrative:

W047016121614 selected

W047016158641 selected

W047016156497 selected

Preliminary result

Filed on: 05/19/16 0037

Resulting lab: SCC LAB

Narrative:

W047016121614 issued

W047016158641 issued

W047016156497 issued

Final result

Filed on: 06/17/16 1403

Resulting lab: SCC LAB

Narrative:

W047016121614 released

W047016158641 released

W047016156497 released

Preliminary result

Filed on: 05/19/16 0044

Resulting lab: SCC LAB

Narrative:

W047016121614 released

W047016158641 released

W047016156497 released

Single Donor Platelets

Status: Completed

Order placed as a reflex to Type and Screen ordered on 05/19/16 at 0000

Ordering user: Edj, Lab In Hlseven 05/19/16 0000

Ordering provider: Provider Unassigned

Preliminary result

Filed on: 05/19/16 0044

Resulting lab: SCC LAB

Components

Platelet Pheresis

Value
W047016132269
selected

Flag

Preliminary result

Filed on: 05/19/16 0038

Resulting lab: SCC LAB

Components

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Blood Bank - All Orders and Results (continued)

Single Donor Platelets (continued)

	Value	Flag
Platelet Pheresis	W047016132269	issued
Final result		
Filed on:	06/17/16 1403	Resulting lab: SCC LAB
Components		
Platelet Pheresis	W047016132269	released
Preliminary result		
Filed on:	05/19/16 0044	Resulting lab: SCC LAB
Components		
Platelet Pheresis	W047016132269	released

PR Charge - All Orders and Results

THORACOTOMY, CTRL TRAUMA BLEED

Electronically signed by: Sandra Sicular, MD on 05/19/16 0104 Status: Completed
Ordering user: Sandra Sicular, MD 05/19/16 0104 Ordering provider: Sandra Sicular, MD

Final result

Filed on: 05/19/16 0201
Narrative:
Sandra Sicular, MD 5/19/2016 2:01 AM
Time of First Contact:
I saw the patient at: 0018 [05/19/16 0040]

History

Chief Complaint
Patient presents with
• Gun Shot Wound

HPI

20 y.o. Male A Unknown Adult bibems as a prenotification for gsw to left chest, intubated. Level 1 trauma code called prior to arrival, Dr. Toribio and trauma team present on arrival of patient. As per ems, patient found talking on street, in transit became altered, hypotensive, 18 gauge IV with NS running to left AC prior to arrival, intubated prior to arrival. Had vital signs.

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2018 D/C: 5/19/2018

PR Charge - All Orders and Results (continued)

THORACOTOMY, CTRL TRAUMA BLEED (continued)

in transit, lost pulses in ambulance bay.

Precinct 67 present in ED.

No past medical history on file.

No past surgical history on file.

No family history on file.

History

Substance Use Topics

- Smoking status: Not on file
- Smokeless tobacco: Not on file
- Alcohol Use: Not on file

Review of Systems

Unable to perform ROS: Intubated

Physical Exam

BP 75/60 | Pulse 44 | Resp 22 | Ht 5' 5" (1.651 m) | Wt 150 lb
(68.04 kg) | BMI 24.96 kg/m² | SpO2 78%

Physical Exam

Constitutional: He appears well-developed and well-nourished. He appears distressed. He is intubated. Cervical collar in place.

Thin male, intubated

HEENT:

Head: Normocephalic and atraumatic.

Right Ear: External ear normal.

Left Ear: External ear normal.

Eyes:

Fixed and dilated

Neck:

c-collar in place

Cardiovascular:

Pulseless

Pulmonary/Chest: Apnea noted. He is intubated.

BS equal on BVM

Absent over epigastrium

Abdominal: Soft. There is no tenderness.

Genitourinary:

Musculoskeletal: He exhibits no edema.

Arms:

Neurological: He is unresponsive. GCS eye subscore is 1. GCS

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

PR Charge - All Orders and Results (continued)

THORACOTOMY, CTRL TRAUMA BLEED (continued)

verbal subscore is 1. GCS motor subscore is 1.
Skin: Skin is warm and dry. He is not diaphoretic.

Assessment

Traumatic cardiac arrest, GSW.

Plan

See ED course.

ED Course

ED thoracotomy and MTP initiated as patient lost vital signs in ED. See procedure notes.

Bedside FAST positive for fluid in morrison's pouch and suprapubic, unable to view splenic recess and pericardium secondary to thoracotomy. Despite resuscitative efforts, patient expired. Time of death 12:33 AM.

Medical examiner notified at 1:14 AM

D/w investigator Jim Meyer

Case number # K16-2715

Admitting notified at 1:24 AM

Organ donation to be notified by other medical staff or admitting staff.

1:58 AM

Authorities able to locate family members. Now present in ED. Notified of death by members of the 67th precinct. Deceased identified as Cedric McEddy. Medical examiner's office updated of this information.

Central Line

Performed by: SICULAR, SANDRA

Authorized by: SICULAR, SANDRA

Consent: The procedure was performed in an emergent situation.

Indications: vascular access

Preparation: skin prepped with Chloraprep

Location details: right femoral

Patient position: flat

Catheter type: Cordis

Catheter size: 8 Fr

Number of attempts: 1

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

PR Charge - All Orders and Results (continued)

THORACOTOMY, CTRL TRAUMA BLEED (continued)

Successful placement: yes
Post-procedure: dressing applied
Assessment: blood return through all ports and free fluid flow
Guide Wire Removed: Yes
Thoracotomy (Trauma)
Performed by: SICULAR, SANDRA
Authorized by: SICULAR, SANDRA
Consent: The procedure was performed in an emergent situation.
Comments: No blood in pericardium
Approx 500 cc blood in left hemithorax

Chest Tube
Performed by: SICULAR, SANDRA
Authorized by: SICULAR, SANDRA
Consent: The procedure was performed in an emergent situation.
Indications comments: GSW to chest
Sscalpel size: 11
Tube size: 36 French
Dissection instrument: Kelly clamp and finger
Ultrasound guidance: no
Tension pneumothorax heard: no
Tube connected to: suction
Suture material: 0 silk
Dressing: petrolatum-impregnated gauze and 4x4 sterile gauze
Comments: Air returned, condensation in tube
No blood

MDM
Number of Diagnoses or Management Options
GSW (gunshot wound):

Amount and/or Complexity of Data Reviewed
Discuss the patient with other providers: yes

Risk of Complications, Morbidity, and/or Mortality
Presenting problems: high
Diagnostic procedures: high
Management options: high

Patient Progress
Patient progress: other (comment) (expired)

I last reviewed vital signs at -

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

PR Charge - All Orders and Results (continued)
Respiratory Documentation - All Orders and Results

Respiratory Care Charting

Electronically signed by: Edi, Lab In Hiseven on 05/18/16 2155 Status: Completed
Ordering user: Edi, Lab In Hiseven 05/18/16 2155 Ordering provider: Provider Unassigned
Final result

Filed on: 05/19/16 0055 Resulting lab: MEDISERVE
Narrative:
Date and Time of Service: 5/19/2016 12:33:00 AM
ROOM: BHER-A-TR 1

Orders Completed:
ENDOTRACHEAL INTUBATION STATISTICAL Number Performed: 1.00

CPR/ CODE 99 Number Performed: 1.00

CODE 99-BHMC

Time called: 0012
Patient intubated by: Already trached. EMT
Tube size: 7.5 mm ID
Depth of Insertion: 24 cm
Tube secured with: tape
Time code ended: 0033
Outcome: Expired
Type of ventilator: NA
Comments: na

Electronically Signed by: TIMANDRA DUVERGLAS, RRT

All Meds and Administrations

(There are no med orders for this encounter)

Anthropometrics - Thu May 19, 2016

0019

Anthropometrics

Height 5' 5" (1.651 m) -AC

Weight 150 lb (68 kg) -AC

BMI 25 -AC

(Calculated)

Weight Change 100 -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0022

Arrival Documentation - Thu May 19, 2016

Printed on 10/5/2018 10:34 AM

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Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Arrival Documentation - Thu May 19, 2016 (continued)

0018
Triage Call
Triage Call Call 1x -AC
Recorded by [AC] Althea
Coggins, RN
05/19/16 0019
0018

Triage Start
Triage Start Start -AC
Is This An Injury Injury -AC
or Illness?
Recorded by [AC] Althea
Coggins, RN
05/19/16 0019
0018

Prehospital Treatment
Prehospital Yes [1] -AC
Treatment
Prehospital No -AC2
Medication
Recorded by [AC] Althea
Coggins, RN
05/19/16 0029
[AC2] Althea
Coggins, RN
05/19/16 0019
0018

Prehospital IV Access
IV Orientation Left -AC
IV Site Antecubital -AC
Size-Type 18g -AC
Catheter
Recorded by [AC] Althea
Coggins, RN
05/19/16 0040

Blood/Blood Product - Thu May 19, 2016

	0019	0024	0026	0031	0032
Vitals					
Charting Type					Intra transfusion
BP	(I) 107/52 -AC	98/80 -AC	98/80 -AC	(I) 75/60 -AC	(I) 75/60 -AC
Pulse	(I) 44 -AC	(I) 42 -AC	53 -AC	(I) 44 -AC	(I) 44 -AC
SpO2	(I) 78 % -AC2	(I) 78 % -AC	(I) 80 % -AC	(I) 78 % -AC	(I) 76 % -AC2
Resp	22 -AC				
Recorded by	[AC] Althea Coggins, RN 05/19/16 0022 [AC2] Althea Coggins, RN 05/19/16 0159	[AC] Althea Coggins, RN 05/19/16 0200	[AC] Althea Coggins, RN 05/19/16 0027	[AC] Althea Coggins, RN 05/19/16 0031	[AC] Althea Coggins, RN 05/19/16 0034 [AC2] Althea Coggins, RN 05/19/16 0041

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Blood/Blood Product - Thu May 19, 2016 (continued)

0033

Vitals

Charting Type

Blood Stopped -AC

Recorded by

[AC] Althea
Coggins, RN
05/19/16 0053
0032

Pre-Transfusion Documentation

Will patient

accept blood?

Emergency

Pre-Meds

No -AC

Given?

Blood Admin

Consent

Obtained /

Verified

Emergency
Transfusion -AC

Recorded by

[AC] Althea
Coggins, RN
05/19/16 0034

Cardiac Assessment - Thu May 19, 2016

0020

Cardiac

Cardiac (WDL)

Exceptions to

WDL

GSWL chest -AC

Cardiac

Comment

Regularity

(Specify) -AC

Recorded by

[AC] Althea
Coggins, RN
05/19/16 0142
0020

Cardiac Monitoring

Cardiac Monitor

Yes -AC

On

Cardiac Monitor

Yes -AC

Audible

Alarms Set

Yes -AC

Recorded by

[AC] Althea
Coggins, RN
05/19/16 0142

Custom Formula Data - Thu May 19, 2016

0019

OTHER

BSA (Calculated)

1.77 sq meters

- sq m)

-AC

BMI

25 -AC

(Calculated)

IBW/kg

61.5 kg -AC

(Calculated)

Printed on 10/5/2018 10:34 AM

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001059108
Adm: 5/19/2016 D/C: 5/19/2016

Custom Formula Data - Thu May 19, 2016 (continued)

0019

Male

Low Range Vt 369 mL -AC

6cc/kg MALE

Adult Moderate 492 mL -AC

Range Vt

8cc/kg MA

Adult High 615 mL -AC

Range Vt

10cc/kg MALE

IBW/kg 57 kg -AC

(Calculated)

FEMALE

Low Range Vt 342 mL -AC

6cc/kg FEMALE

Adult Moderate 456 mL -AC

Range vt 8cc/kg

FEMALE

Percent Weight 0 -AC

Change Since

Birth

IBW/kg 61.5 -AC

(Calculated)

Low Range Vt 369 mL -AC

6cc/kg

Adult Moderate 492 mL -AC

Range Vt

8cc/kg

Adult High 615 mL -AC

Range Vt

10cc/kg

Recorded by [AC] Althea
Coggins, RN
05/19/16 0022

Departure Condition - Thu May 19, 2016

0050

Departure Condition

Departure Expired -AC

Condition

Recorded by [AC] Althea
Coggins, RN
05/19/16 0237

First Contact - Thu May 19, 2016

0040

First Contact

I saw the patient 0018 -ss

at

Recorded by [SS] Sandra
Sicular, MD
05/19/16 0040

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001058108
Adm: 5/19/2016 D/C: 5/19/2016

Focused Assessment - Thu May 19, 2016

0022

Airway

Airway (WDL) Exceptions to
WDL -AC

Obstructed?

Orally Intubated -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0023

0019

0020

0024

0026

0031

Breathing

Respiratory

Pattern ETT/Bagged -AC

Left Breath Absent -AC

Sounds

Right Breath Diminished -AC

Sounds

SpO2 (I) 78% -AC

(I) 78% -AC

(I) 80% -AC

(I) 78% -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0159

[AC] Althea
Coggins, RN
05/19/16 0143

[AC] Althea
Coggins, RN
05/19/16 0200

[AC] Althea
Coggins, RN
05/19/16 0027

[AC] Althea
Coggins, RN
05/19/16 0031

0032

Breathing

SpO2 (I) 76% -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0041

Gastrointestinal - Thu May 19, 2016

0020

Abdominal

Gastrointestinal Within Defined

(WDL) Limits -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0144

Genitourinary - Thu May 19, 2016

0020

Genitourinary

Genitourinary Within Defined

(WDL) Limits -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0144

HEENT - Thu May 19, 2016

0020

HEENT

HEENT (WDL) Within Defined

Limits -AC

Recorded by [AC] Althea

Printed on 10/5/2018 10:34 AM

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn, NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

HEENT - Thu May 19, 2016 (continued)

0020

Coggins, RN
05/19/16 0144

Musculoskeletal - Thu May 19, 2016

0020

Musculoskeletal

Musculoskeletal Exceptions to

(WDL) WDL -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0145

Neurological - Thu May 19, 2016

0020

Neurological

Neuro (WDL) Exceptions to

WDL

non-verbal, orally

intubated -AC

Level of Other (Comment)

Consciousness -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0141

Patient Belongings - Thu May 19, 2016

0238

Patient Belongings Sent Home

Belongings Sent Other

Home Given to 67th Precinct

-AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0238

Post-Mortem - Thu May 19, 2016

0239

Physician Contact

Physician Yes -AC

Notified

Physician Name Dr. Sicular -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0247
0239

Death Pronounced By

Pronounced By Dr. Sicular -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0247
0239

Date and Time of Death

Printed on 10/5/2018 10:34 AM

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495478
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Post-Mortem - Thu May 19, 2016 (continued)

0239
Date of Death 05/19/16 -AC
Time of Death 0033 -AC
Recorded by [AC] Althea
Coggins, RN
05/19/16 0247

0239 0619 0634

Post-Mortem Checklist

Time Gift to NY 0130 -AC 0600 [2]
Contacted Reference # 2016- George Dezastey -AC
021589 -AC

Is patient a Yes -AC
potential donor?

Body Yes -AC

Preparation

Complete

Patient Yes -AC

Identification

Morgue Tags on Yes -AC

Body

Belongings Given to other

Disposition (Comment)
Given to Officer
Chorazewick, Badge
#1953 (67th precinct)

Have you Yes
notified next of
kin? Notified by 67th
Precinct -AC

Recorded by [AC] Althea [AC] Althea [AC] Althea
Coggins, RN Coggins, RN Coggins, RN
05/19/16 0247 05/19/16 0634 05/19/16 0635
0239 0619

Medical Examiner

Was Medical Yes -AC

Examiner

notified?

Decision Accepted -AC

rendered by the

Medical

Examiner

Recorded by [AC] Althea [AC] Althea
Coggins, RN Coggins, RN
05/19/16 0247 05/19/16 0634
0239

Notifications

Admitting Yes -AC

Notified

Security Notified Yes -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0247

Brockdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001058108
Adm: 5/19/2016 D/C: 5/19/2016

Post-Mortem - Thu May 19, 2016 (continued)

0238

Patient Belongings Sent Home

Belongings Sent Other
Home Given to 67th Precinct

Recorded by [AC] Althea
Coggins, RN
05/19/16 0239
0239

Patient Belongings At Discharge

Belongings Given to (Specify)
Disposition Officer, 67th precinct

Recorded by [AC] Althea
Coggins, RN
05/19/16 0247

Respiratory - Thu May 19, 2016

0019

0020

Respiratory

Respiratory Exceptions to
(WDL) WDL -AC

Left Breath Absent -AC

Sounds Diminished -AC

Right Breath

Sounds

Respiratory
Pattern ETT/Bagged -AC

O2 Device ETT -AC

O2 Flow Rate 10 L/min -AC
(L/min)

Recorded by [AC] Althea [AC] Althea
Coggins, RN Coggins, RN
05/19/16 0022 05/19/16 0143

Skin Color/Condition - Thu May 19, 2016

0020

Skin Color/Condition

Skin Exceptions to
Color/Condition WDL -AC

(WDL)

Skin Color Pale -AC

Skin Diaphoretic; Cool; C

Condition/Temp Tacky -AC

Mucous Intact -AC

Membranes

Skin Turgor Non-tenting -AC

Recorded by [AC] Althea
Coggins, RN
05/19/16 0148

Triage Plan - Thu May 19, 2016

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001058108
Adm: 5/19/2016 D/C: 5/19/2016

Triage Plan - Thu May 19, 2016 (continued)

0211
Quick Triage Plan
Patient Acuity One -AC
Destination Trauma -AC
Recorded by [AC] Althea
Coggins, RN
05/19/16 0211
0211

Triage Plan
Full Triage Triage Complete
Complete -AC
Recorded by [AC] Althea
Coggins, RN
05/19/16 0211

Vital Signs - Thu May 19, 2016

	0019	0024	0026	0031	0032
Vital Signs					
Pulse	(I) 44 -AC	(I) 42 -AC	53 -AC	(I) 44 -AC	(I) 44 -AC
Resp	22 -AC				
BP	(I) 107/52 -AC	98/80 -AC	98/80 -AC	(I) 75/60 -AC	(I) 75/60 -AC
BP Location	Right arm -AC				
BP Method	Automatic -AC				
Patient Position	Lying -AC				
Recorded by	[AC] Althea Coggins, RN 05/19/16 0022 0019	[AC] Althea Coggins, RN 05/19/16 0200 0024	[AC] Althea Coggins, RN 05/19/16 0027 0026	[AC] Althea Coggins, RN 05/19/16 0031 0031	[AC] Althea Coggins, RN 05/19/16 0034 0032

	0019	0024	0026	0031	0032
Oxygen Therapy					
SpO2	(I) 78 % -AC	(I) 78 % -AC	(I) 80 % -AC	(I) 78 % -AC	(I) 78 % -AC
O2 Device	ETT -AC2				
O2 Flow Rate	10 L/min -AC2				
Recorded by	[AC] Althea Coggins, RN 05/19/16 0159 [AC2] Althea Coggins, RN 05/19/16 0022 0019	[AC] Althea Coggins, RN 05/19/16 0200	[AC] Althea Coggins, RN 05/19/16 0027	[AC] Althea Coggins, RN 05/19/16 0031	[AC] Althea Coggins, RN 05/19/16 0041

Height and Weight
Height 5' 5" (1.651 m) -AC
Height Method Estimated -AC
Weight 150 lb (68 kg) -AC
Weight Method Estimated -AC
Recorded by [AC] Althea
Coggins, RN
05/19/16 0022

Audit Information

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Audit Information (continued)

Ref #	Row Name	Time Taken	Time Recorded	Value	User
1	Prehospital Treatment	05/19/16 0018	05/19/16 0029	Yes	AC
			05/19/16 0019	No	AC
2	Time Gift to NY Contacted	05/19/16 0619	05/19/16 0634	0600 Reference # 2016-021589	AC
			05/19/16 0620	0600	AC

User Key

(r) = Recorded By. (t) = Taken By. (c) = Cosigned By

Initials	Name	Effective Dates
SS	Sandra Sicular, MD	04/13/15 -
AC	Althea Coggins, RN	11/05/13 -

Primary Assessment - Thu May 19, 2016

0022

Airway

Obstructed?

orally intubated -AC

Recorded by

[AC] Althea Coggins, RN
05/19/16 0023

Treatment PTA - Thu May 19, 2016

0018

Prehospital Treatment

Prehospital Yes [1] -AC

Treatment

Prehospital No -AC2

Medication

Recorded by [AC] Althea Coggins, RN
05/19/16 0029
[AC2] Althea Coggins, RN
05/19/16 0019
0018

Prehospital IV Access

IV Orientation Left -AC

IV Site Antecubital -AC

Size-Type 18g -AC

Catheter

Recorded by [AC] Althea Coggins, RN
05/19/16 0040

Audit Information

Ref #	Row Name	Time Taken	Time Recorded	Value	User
1	Prehospital Treatment	05/19/16 0018	05/19/16 0029	Yes	AC
			05/19/16 0019	No	AC

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

User Key (r) = Recorded By, (t) = Taken By, (c) = Cosigned By
Initials Name Effective Dates
AC Althea Coggins, RN 11/05/13 -

Code Vitals - Thu May 19, 2016

	0019	0024	0026	0031	0032
Vitals					
Pulse	(I) 44 -AC	(I) 42 -AC	53 -AC	(I) 44 -AC	(I) 44 -AC
Resp	22 -AC				
BP	(I) 107/52 -AC	98/80 -AC	98/80 -AC	(I) 75/60 -AC	(I) 75/60 -AC
SpO2	(I) 78 % -AC2	(I) 78 % -AC	(I) 80 % -AC	(I) 78 % -AC	(I) 76 % -AC2
O2 Device	ETT -AC				
O2 Flow Rate (L/min)	10 L/min -AC				
Recorded by	[AC] Althea Coggins, RN 05/19/16 0022 [AC2] Althea Coggins, RN 05/19/16 0159	[AC] Althea Coggins, RN 05/19/16 0200	[AC] Althea Coggins, RN 05/19/16 0027	[AC] Althea Coggins, RN 05/19/16 0031	[AC] Althea Coggins, RN 05/19/16 0034 [AC2] Althea Coggins, RN 05/19/16 0041

Code Vitals and Interventions - Thu May 19, 2016

	0019	0024	0026	0031	0032
Vitals					
Pulse	(I) 44 -AC	(I) 42 -AC	53 -AC	(I) 44 -AC	(I) 44 -AC
Resp	22 -AC				
BP	(I) 107/52 -AC	98/80 -AC	98/80 -AC	(I) 75/60 -AC	(I) 75/60 -AC
Patient Position	Lying -AC				
Recorded by	[AC] Althea Coggins, RN 05/19/16 0022	[AC] Althea Coggins, RN 05/19/16 0200	[AC] Althea Coggins, RN 05/19/16 0027	[AC] Althea Coggins, RN 05/19/16 0031	[AC] Althea Coggins, RN 05/19/16 0034

User Key (r) = Recorded By, (t) = Taken By, (c) = Cosigned By
Initials Name Effective Dates
AC Althea Coggins, RN 11/05/13 -

ED Discharge Instructions

None

Scans

Encounter-Level : Cardiac Rhythm Strips:

There are no encounter-level : cardiac rhythm strips.

Encounter-Level : Ambulance Call Reports - 05/19/2016:

Scan on 5/19/2016 : ACR (below)

MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Encounter-Level : Ambulance Call Reports - 05/19/2018: (continued)

Scan on 5/19/2016 : ACR (below)

Scan on 5/19/2016 : ACR (below)

[illegible]

Scans (continued)

MC EADY, CEDRIC
MRN: 2495476
DOB: 11/19/1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Brookdale Hospital Medical Center
One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

ED Record

Brookdale Hospital Medical Center

MCEADBY, CEDRIC
 MRN: 2485478
 DOB: 1998, Sex: M
 Acct #: 2001056108
 Adm: 5/19/2016 D/C: 5/19/2016

Brookdale Hospital Medical Center
 One Brookdale Plaza
 Brooklyn NY 11212-3139
 ED Record

Encounter-Level Documents - 05/19/2016:

Other on: 5/19/2016 (below)

ID Patient Flow Sheet
 Brookdale University Hospital and Medical Center
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Other on: 5/19/2016 (below)

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1993, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Scans (continued)

Encounter-Level Documents - 05/19/2016: (continued)

<p>ADULT PHYSICIAN</p> <p>PHYSICIAN</p> <p>PHYSICIAN ASSISTANT</p> <p>PHYSICIAN NURSE</p> <p>PHYSICIAN RESIDENT</p> <p>PHYSICIAN FELLOW</p> <p>PHYSICIAN STUDENT</p> <p>PHYSICIAN APPRENTICE</p> <p>PHYSICIAN VISITOR</p> <p>PHYSICIAN CONSULTANT</p> <p>PHYSICIAN ADVISOR</p> <p>PHYSICIAN SPECTATOR</p> <p>PHYSICIAN GUEST</p> <p>PHYSICIAN OTHER</p>		<p>PHYSICIAN</p> <p>PHYSICIAN ASSISTANT</p> <p>PHYSICIAN NURSE</p> <p>PHYSICIAN RESIDENT</p> <p>PHYSICIAN FELLOW</p> <p>PHYSICIAN STUDENT</p> <p>PHYSICIAN APPRENTICE</p> <p>PHYSICIAN VISITOR</p> <p>PHYSICIAN CONSULTANT</p> <p>PHYSICIAN ADVISOR</p> <p>PHYSICIAN SPECTATOR</p> <p>PHYSICIAN GUEST</p> <p>PHYSICIAN OTHER</p>	
<p>PHYSICIAN</p> <p>PHYSICIAN ASSISTANT</p> <p>PHYSICIAN NURSE</p> <p>PHYSICIAN RESIDENT</p> <p>PHYSICIAN FELLOW</p> <p>PHYSICIAN STUDENT</p> <p>PHYSICIAN APPRENTICE</p> <p>PHYSICIAN VISITOR</p> <p>PHYSICIAN CONSULTANT</p> <p>PHYSICIAN ADVISOR</p> <p>PHYSICIAN SPECTATOR</p> <p>PHYSICIAN GUEST</p> <p>PHYSICIAN OTHER</p>		<p>PHYSICIAN</p> <p>PHYSICIAN ASSISTANT</p> <p>PHYSICIAN NURSE</p> <p>PHYSICIAN RESIDENT</p> <p>PHYSICIAN FELLOW</p> <p>PHYSICIAN STUDENT</p> <p>PHYSICIAN APPRENTICE</p> <p>PHYSICIAN VISITOR</p> <p>PHYSICIAN CONSULTANT</p> <p>PHYSICIAN ADVISOR</p> <p>PHYSICIAN SPECTATOR</p> <p>PHYSICIAN GUEST</p> <p>PHYSICIAN OTHER</p>	

Other on: 5/19/2016 (below)

MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Encounter-Level Documents - 05/19/2016: (continued)

[illegible]

Printed on 10/5/2018 10:34 AM

Brookdale Hospital Medical Center Ona Brookdale Plaza
 Brooklyn NY 11212-3139
 ED Record

MCEADDY, CEDRIC
 MRN: 2495476
 DOB: 1998, Sex: M
 Acct #: 2001056108
 Adm: 5/19/2016 D/C: 5/19/2016

Scans (continued)

Encounter-Level Documents - 05/19/2016: (continued)

ED Room 3 Flow Sheet

Brookdale University Hospital and Medical Center

RECEIVED
 DATE: 5/19/2016
 TIME: 11:00 AM
 BY: [Signature]
 IN: [Signature]

RECEIVED
 DATE: 5/19/2016
 TIME: 11:00 AM
 BY: [Signature]
 IN: [Signature]

Page 4

Time	Room	Attending	Physician	Nurse	Respiratory	Pharmacist	Other	Notes
11:00 AM	301	Dr. [Signature]	Mr. [Signature]	Ms. [Signature]	Mr. [Signature]	Ms. [Signature]	Mr. [Signature]	Initial assessment and vital signs.
11:15 AM	301	Dr. [Signature]	Mr. [Signature]	Ms. [Signature]	Mr. [Signature]	Ms. [Signature]	Mr. [Signature]	Review of labs and imaging.
11:30 AM	301	Dr. [Signature]	Mr. [Signature]	Ms. [Signature]	Mr. [Signature]	Ms. [Signature]	Mr. [Signature]	Discussion of treatment plan.
11:45 AM	301	Dr. [Signature]	Mr. [Signature]	Ms. [Signature]	Mr. [Signature]	Ms. [Signature]	Mr. [Signature]	Update on patient status.
12:00 PM	301	Dr. [Signature]	Mr. [Signature]	Ms. [Signature]	Mr. [Signature]	Ms. [Signature]	Mr. [Signature]	Final assessment and discharge planning.

Other on: 5/19/2016 (below)

MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2018 D/C: 5/19/2018

Encounter-Level Documents - 05/19/2016: (continued)

[illegible]

PAGE 5

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MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Encounter-Level Documents - 05/19/2016: (continued)

[illegible]

Page 47

MCEADDY, CEDRIC
MRN: 2495476
DOB: [REDACTED] 998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Encounter-Level Documents - 05/19/2016: (continued)

[illegible]

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 1998, Sex: M
Acct #: 2001058108
Adm: 5/19/2016 D/C: 5/19/2016

Order-Level Documents:

There are no order-level documents.

Encounter-Level E-Signature Documents:

Patient Notice of Financial Aid - Received on 5/19/2016



Affiliated with State University of New York
Health Science Center at Brooklyn
New York University College of Dentistry
and The Mount Sinai Health System

The Brookdale University Hospital and Medical
Center
One Brookdale Plaza - Brooklyn, New York 11212-
3198

Dial Direct (718)-240-5240

Patient Notice of Financial Aid

Brookdale Hospital is proud of its mission to provide medical care to all who are in need of it.

It is important that you let us know if you will have difficulty paying your bill; Federal and State laws require all hospitals to seek full payment of what they bill patients. This means we may have to turn unpaid bills over to a collections agency, which could affect your credit status.

If you do not have health insurance and worry that you may not be able to pay in full for your care, we may be able to help. Brookdale Hospital provides financial aid to patients based on their income, assets, and needs. In addition, we may be able to help you get free or low-cost health insurance or work with you to arrange a manageable payment plan.

For more information about our financial aid options, please contact our Financial Office at (718) 240-5240 or (718) 240-5950, between 9:00AM through 4:00PM Monday through Friday. We will address your questions with confidentiality and courtesy.

Print Name: McEaddy, Cedric

Patient Signature:

Printed on 10/5/2018 10:34 AM

Page 49

Upon stay @ Brookdale
Video proof
can provide
anytime
family
arrived
Brookdale
no proof
family consent
notification
is provided
in any
Brookdale reports
a motion to strike affidavits

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495476
DOB: 998, Sex: M
Acct #: 2001055108
Adm: 5/19/2016 D/C: 5/19/2016

Scans (continued)

Encounter-Level E-Signature Documents: (continued)

Date: 5/19/2016

General Consent for Treatment and Release of Information - Received on 5/19/2016



The Brookdale University Hospital and Medical Center
One Brookdale Plaza - Brooklyn, New York 11212-3198
Telephone #: (718) 240 - 5000

GENERAL CONSENT FOR TREATMENT AND RELEASE OF INFORMATION

Patient Name:
McEaddy, Cedric
Date of Service:
5/19/2016

MRN: 3705449 Visit #: 1103674767

Location: BPMC EMERGENCY
DEPARTMENT

1. Consent for General Treatment - I request and authorize healthcare services to be provided to me by Brookdale University Hospital and Medical Center (the "Hospital"), and Brookdale Family Care Centers, Schulman & Schachne Institute for Nursing & Rehabilitation, Hospital's off-site medical offices ("Medical Center"), and their employees, contractors, and Medical Staffs. Authorized services include routine diagnostics and/or radiology and laboratory procedures, administration of drugs and other therapeutics, and routine medical, nursing and other patient care. If I am an obstetrical patient, I understand that my signature also agrees to the care and treatment of my newborn.
2. No Representations or Guarantees. I am aware that the practice of medicine and surgery is not an exact science and I acknowledge that no oral or written representations or guarantees have been made to me as to the results of any diagnosis, treatment and medical care that I receive as a patient at the Medical Center.
3. Teaching Facility - I am aware that the Medical Center conducts teaching programs for health care professionals and participates in approved medical research. I consent to diagnosis and treatment and the review of my medical records for the purposes of providing training for

Brookdale Hospital Medical Center One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MCEADDY, CEDRIC
MRN: 2495478
DOB: [REDACTED] 1998, Sex: M
Acct #: 2001056108
Adm: 5/19/2016 D/C: 5/19/2016

Scans (continued)

Encounter-Level E-Signature Documents: (continued)

these students. I understand that this will be done with respect for my dignity and my need for confidentiality.

4. Medical Staff Relationships. I understand that many of the physicians on the staff of Medical Center, including my attending physician(s), may not be employees or agents of Medical Center, but rather may be independent practitioners who have been granted the privilege of using its facility for the care and treatment of their patients. Medical Center exercises no control over the medical decisions or the services of these physician(s) and other healthcare practitioners. I understand that I may be separately charged for services by these providers and/or other organizations that provide services to me while I am a patient at Medical Center.
5. Release of Information. I authorize Medical Center, its agents, employees and Medical Staff to release copies of my medical records, including information from prior treating and/or referring physicians and hospitals and other health care providers to:
 - ✦ A. any governmental agency, billing service, insurance company, auditing agency engaged by Medical Center or a third party payer, employer or physician for the purpose of processing any claims for benefits; and
 - ✦ B. any physician or health care facility to which I may be referred to for the purpose of continuing care.
6. Personal Property. I agree and acknowledge that Medical Center has no responsibility for loss of clothing, money, valuables, dentures, glasses, or any other personal items of mine and understand that arrangements should be made by me to safeguard items during my stay.
7. Notice of Privacy Practices. I acknowledge that I have received the Medical Center's Notice of Privacy Practice
8. Emergency Medical Services and Surprise Bills Law Disclosure - I acknowledge that I have received the Medical Center's Surprise Bill Disclosure.
9. Insurance Coverage. I authorize Medical Center to file and pursue a claim for payment of my Medical Center charges with my insurance carrier. I assign to Medical Center all medical and health care insurance payments and benefits, including all rights to payment and reimbursement, that are payable or may be payable to me or Medical Center by any payor. This assignment includes the right to receive payment of my health care benefits directly from any payor, the right to appeal any adverse benefit determination, and the right to bring a

Brookdale Hospital Medical Center
One Brookdale Plaza
Brooklyn NY 11212-3139
ED Record

MC EADBY, CEDRIC
MRN: 2495475
DOB: 998, Sex: M
Acct #: 2001056408
Adm: 5/19/2016 D/C: 5/19/2016

Scans (continued)

Encounter-Level E-Signature Documents: (continued)

I am entitled to recover any health care benefits or other damages and penalties to which I am entitled. I also assign to Medical Center the right to receive documents to which I am entitled from any payor, including, but not limited to, any employee medical benefit plan, insurance company, and claim administrator, if applicable to services received at Brookdale Hospital and Medical Center. I designate Medical Center as my authorized Representative for all of these activities. I understand that I am financially responsible for any balance not covered by my insurance. Should the account be referred to an attorney for collection, the undersigned shall pay reasonable attorney fees and collection expenses. A photo copy of this assignment shall be considered as valid as the original.

10. In addition, I authorize Medical Center to release my medical information to the following electronic portals to provide me with medical diagnosis and treatment and to assess and improve the quality of medical care delivered by Medical Center. I understand that this consent permits access to ALL of my medical information, including but not limited to, sensitive information related to the following: HIV/AIDS, Mental Health, Genetic Disease or Genetic Tests, Alcohol or Drug Abuse Treatment, Sexually Transmitted Diseases, and Family Planning.

This consent permits the Medical Center to access information created both before and after the date I sign this form. I understand that this consent is valid for one year from the date of signature unless I withdraw consent. If I withdraw consent it will be effective beginning with the date the withdrawal was filed but will not affect the information exchanged prior to that date.

I understand if I do not initial next to the participating portal, my information will not be released to that particular exchange even in an emergency.

• Care Everywhere - A way for providers to share information about my condition and treatment. By initialing here I consent to have Brookdale release my information and request information be provided by other organizations.

5/19/2016

Initials Date

EXHIBIT B

COPY

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK

3 -----
4 LATISHA SANDERS INDIVIDUALLY AND AS
5 ADMINISTRATOR MOTHER AND NEXT OF KIN
6 FOR DECEASED MINOR CHILD CEDRIC MCEADDY,

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Plaintiff,

vs. 1:16-CV-6526 (CBA/SJB)

LIVEON NEW YORK ORGAN DONATION, RN ALTHEA
COGGINS IN HER OFFICIAL AND INDIVIDUAL
CAPACITY, MD SANDRA SICULAR IN HER
OFFICIAL CAPACITY AND INDIVIDUAL CAPACITY,
BROOKDALE UNIVERSITY HOSPITAL MEDICAL
CENTER, OFFICE CHIEF MEDICAL EXAMINER,
DR. AGLAE CHARLOT IN HER OFFICIAL AND
INDIVIDUAL CAPACITY, DETECTIVE ORTIZ IN
HIS OFFICIAL AND INDIVIDUAL CAPACITY,
FAIRHAVEN MEMORIAL CHAPEL AND JASON
SHEPPARD,

Defendants.

VIDEOTAPED DEPOSITION OF JOSE MARIA

Monday, May 6, 2019

10:00 a.m.

Reported by:

Joan Ferrara

Job No. 270448

May 6, 2019

10:00 a.m.

New York, New York

Videotaped Deposition of JOSE MARIA,
held at the offices of Aaronson Rappaport
Feinstein & Deutsch, LLP, 600 Third
Avenue, New York, New York, Pursuant to
Notice, before Joan Ferrara, a Registered
Merit Reporter and Notary Public of the
State of New York.

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A P P E A R A N C E S:

JENNER & BLOCK

Attorneys for Plaintiff

919 Third Avenue

New York, New York 10022-3908

BY: KARA K. TROWELL, ESQ.

MICHAEL W. ROSS, ESQ.

NICOLAS G. KELLER, ESQ.

AARONSON RAPPAPORT FEINSTEIN & DEUTSCH, LLP

Attorneys for Defendants - RN Althea

Coggins, MD Sandra Sicular and Brookdale

University Hospital

600 Third Avenue

New York, New York 10016

BY: DAVID N. SAFFRA, ESQ.

(Continued)

A P P E A R A N C E S: (Continued)

HAWORTH BARBER & GERTSMAN, LLC

Attorneys for Defendant - Fairhaven Memorial
Chapel and Jason Sheppard

45 Broadway, 21st Floor

New York, New York 10006

BY: MICHAEL FABIANI, ESQ.

NEW YORK CITY LAW DEPARTMENT

OFFICE OF THE CORPORATION COUNSEL

Attorneys for Defendants - Office of the
Chief Medical Examiner, Dr. Aglae Charlot
and Detective Ortiz

100 Church Street

New York, New York

BY: DEVIN S. COHEN, ESQ.,

Assistant Corporation Counsel

ALSO PRESENT:

Jose Rivera, Videographer

Latisha Sanders

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2 IT IS HEREBY STIPULATED AND AGREED, by
3 and between the attorneys for the respective
4 parties herein, that filing and sealing of
5 the transcript be waived, and the same are
6 hereby waived.

7 IT IS FURTHER STIPULATED AND AGREED
8 that all objections, except as to the form
9 of the question, shall be reserved to the
10 time of the trial.

11 IT IS FURTHER STIPULATED AND AGREED
12 that the within deposition may be sworn to
13 and signed before any officer authorized to
14 administer an oath, with the same force and
15 effect as if signed and sworn to before the
16 Court.

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2 THE VIDEOGRAPHER: This is media
3 unit number one in the video
4 deposition of Jose Maria in the matter
5 of Latisha Sanders, et al., plaintiff,
6 against LiveOn New York Organ
7 Donation, et al., defendants, in the
8 United States District Court, Eastern
9 District of New York, Case No.
10 1:16-CV-6526 (CBA) (SJB) .

11 This deposition is being held at
12 Aaronson Rappaport, 600 Third Avenue,
13 New York, New York, on May 6, 2019 at
14 approximately 10:06 a.m.

15 My name is Jose Rivera from the
16 firm of U.S. Legal Support and I am
17 the legal video specialist.

18 The court reporter is Joan
19 Ferrara, also in association with U.S.
20 Legal Support.

21 For the record, will counsel
22 please introduce themselves.

23 MS. TROWELL: I'm Kara Trowell
24 of Jenner & Block. We're deposition
25 counsel for plaintiff Latisha Sanders

1
2 who is also present.

3 With me, I have my colleagues
4 Nick Keller and Michael Ross, also
5 attorneys of Jenner & Block.

6 MR. SAFFRA: David Saffra for
7 Brookdale, Dr. Sicular and Nurse
8 Coggins here today on behalf of the
9 corporate defendant Brookdale with the
10 witness Jose Maria.

11 MR. FABIANI: Mike Fabiani from
12 Haworth Barber & Gertsman on behalf of
13 defendants Fairhaven Chapel and Jason
14 Sheppard.

15 MR. COHEN: Devin Cohen from the
16 New York City Law Department here on
17 behalf of the Office of the Chief
18 Medical Examiner, Dr. Aglae Charlot
19 and Detective Ortiz.

20 MR. SAFFRA: As previously
21 discussed off the record, LiveOn New
22 York, who is a named defendant in this
23 matter as well, is not here today
24 pursuant to Judge Bulsara's recent
25 decision, letter or order.

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Is that in agreement? Are all
parties understanding that?

MS. TROWELL: Agree.

THE VIDEOGRAPHER: Now, will the
court reporter please swear in the
witness.

J O S E M A R I A ,

called as a witness, having been
duly sworn by a Notary Public, was
examined and testified as follows:

EXAMINATION BY

MS. TROWELL:

Q I just want to set some ground
rules first to get started.

Because this deposition is being
transcribed and videotaped, it is important
that you provide verbal audible answers to
every question and refrain from any hand
gestures.

We can take breaks whenever you
need, but if there is a pending question
I'll ask that you answer the question
before we break.

And if you don't understand any

1 J. Maria
2 part of a question, please let me know.
3 Do you understand all of that?
4 A Yes.
5 Q Any questions?
6 A No.
7 Q Okay, great.
8 Is there anything that would
9 inhibit your ability to testify truthfully
10 and freely today?
11 A No.
12 Q Thank you.
13 Mr. Rivera, have you ever
14 previously been deposed?
15 MR. SAFFRA: Actually, he's not
16 Mr. Rivera.
17 BY MS. TROWELL:
18 Q I'm sorry. Could you state your
19 last name again?
20 A Maria.
21 Q Maria, okay.
22 Mr. Maria, have you ever
23 previously been deposed?
24 A Yes.
25 Q How many times?